

> > >
> > >>From: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>
> > >>To: <lfox449@hotmail.com>
> > >>Subject: 2/3/06 accident
> > >>Date: Tue, 27 Jun 2006 14:52:24 -0400
> > >>
> > >>Michael,
> > >>
> > >>
> > >>
> > >>We never heard back from you in response to my 5/11/06 email below.
> > >>
> > >>
> > >>
> > >>We have received notice of the Christus St. Joseph lien totaling
> > >>\$823.72.
> > >>If you want us to pay that at this time, we are offering \$1650.00 to
> > >>settle your bodily injury claim and we will need to send you a full
> > >>and
> > >>final release for your signature and once we have received it back,
> > >>we
> > >>will send a check to the hospital for \$823.72 and you would get a
> > >>check
> > >>for the remainder totaling \$826.28. We will not make any payments
> > >>until
> > >>the properly executed original release has been received in our
> > >>office.
> > >>
> > >>
> > >>
> > >>
> > >>Based on the last email from you, it does not appear you have
> > >>received
> > >>any more treatment and to be honest, we would have a hard time
> > >>considering any additional treatment as the accident happened almost
> > >>5
> > >>months ago. Soft tissue injuries resolve with or without treatment
> > >>in
> > >>4-8 weeks.
> > >>
> > >>
> > >>
> > >>If you do not want to proceed with settlement, we will still need to
> > >>have an Amica representative meet with you for a statement about
> > >>your
> > >>injuries and treatment. Please advise of your current location.
> > >>
> > >>
> > >>
> > >>I will be on vacation from 7/3 to 7/14/06.
> > >>
> > >>
> > >>
> > >>Sheron Chapa, AIC
> > >>
> > >>Senior Adjuster
> > >>
> > >>Amica Mutual Insurance

Exhibit 12A

> > >
> > > >From: "michael fox" <lfox449@hotmail.com>
> > > >To: SCHAPA@AMICA.COM
> > > >Subject: RE: 2/3/06 accident
> > > >Date: Wed, 28 Jun 2006 18:24:22 -0400
> > > >
> > > >HELLO MS. SHERON CHAPA
> > > >
> > > >JUST RECIEVED YOUR LASTEST EMAIL....
> > > >WHICH , IF YOU SCROLL DOWN YOU CAN READ IT....
> > > >
> > > >AS FAR AS MY INJURIES FROM THIS ACCIDENT..
> > > >
> > > >MY NECK AND SPINE, AND HEADACHES I HAVE ARE GETTING NO BETTER..
> > > >
> > > >I WILL NOT SETTEL ANY CLAIM, WHEN I AM IN NEED OF MEDICAL
>TREATMENT...
> > > >I TRAVEL ALL OVER THE UNITED STATES, AND I HAVE NO PLACE I CALL HOME
>AS
> > > >OF
> > > >YET.
> > > >
> > > >SO IT WOULD BE VERY DIFFICULT TO RECIEVE TREATMENT AT ONE MEDICAL
> > > >CENTER...
> > > >
> > > >DO'NT KNOW WHAT ELSE TO TELL YOU....
> > > >
> > > >IF YOU WANT AN INTERVIEW WITH AN APPRASIER THAT YOU WANTED ME TO
>SEE..
> > > >YOU CAN SET ONE UP FOR THE NORTH SIDE OF SAN DIEGO COUNTY IN
> > > >CALIFORNIA..
> > > >I WILL HERE UNTIL WE CAN HAVE SUCH A MEETING...
> > > >
> > > >I AM CURRENTLY TRYING TO GET AN ATTORNEY FOR THIS ACCIDENT, AND THE
> > > >PERSON
> > > >AND THEIR OTHERES THAT CAUSED THIS WRECK....
> > > >
> > > >I WILL WAIT ON YOUR REPLY
> > > >OR APPOINTMENT FOR AN APPRAISER FOR THE AREA I QUOTED
> > > >
> > > >THANK YOU
> > > >MICHAEL FOX
> > > >

Exhibit 13A

> > >-----Original Message-----
> > >From: michael fox <lfox449@hotmail.com>
> > >To: CHAPA, SHERON A.
> > >Sent: Thu Jun 29 15:08:30 2006
> > >Subject: RE: 2/3/06 accident

> > >
> > >HELLO SHERON CHAPA
> > >
> > >IF YOU SCROLL DOWN YOU WILL SEE ARE LAST COMMUNICATIONS...
> > >
> > >I SENT YOU THE EMAIL YESTERDAY, IN RESPONSE TO YOUR EMAIL...
> > >I HAVE NOT HEARD FROM YOU..
> > >24 HOURS HAS GONE BY
> > >AND I HAVE HEARD NOTHING
> > >I AM WAITING FOR YOU TO SENT UP AN INTERVIEW WITH THE AJUSTER OR WHO
> > >EVER
> > >YOU WANTED, I NEED TO SEE HIM IN THE NORTH SAN DIEGO COUNTY AREA....
> > >
> > >SET THE APPOINTMENT..
> > >HAVE HIM MEET ME INSIDE THE FED X KINKOS IN ENCINTIAS CALIFORNIA...
> > >I WILL ME BACK ON THE COMPUTER, IN THE COMPUTER AREA OF FED X KINKOS..
> > >
> > >I JUST NEED A TIME AND DATE, TO MET HIM..
> > >
> > >LETS GET THIS GOING...
> > >
> > >THIS HAS FAR DRUG OUT TO LONG....
> > >
> > >IF YOU WANT TO SETTLR THIS CLAIM WITHOUT THIS INTERVIEW
> > >THE PRICE TAG IS 250 MILLION DOLLARS TO SETTEL
> > >
> > >THANK YOU
> > >MICHAEL FOX
> > >

Exhibit 14A

> >
> >
> >

> > >From: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>

> > >To: <lfox449@hotmail.com>

> > >Subject: Re: 2/3/06 accident

> > >Date: Thu, 29 Jun 2006 16:21:37 -0400

> > >

> > >I'm working on getting this assigned to a san diego adjuster and I will

> > >have them email you to set up an appointment asap.

> > >Sheron Chapa

> > >Senior Claims Adjuster

> > >Amica Mutual Insurance Company

> > >888.887.9310 (Office)

> > >Email sent from BlackBerry

> > >

Exhibit 15A

>From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>

>To: <lfox449@hotmail.com>

>Subject: Amica

>Date: Fri, 30 Jun 2006 09:33:49 -0400

>

>June 30, 2006

>

>

>

>Mr. Fox:

>

>I have been asked to meet with you today and interview you regarding

>your accident. It is my understanding that you will be at Kinko's in

>Encinitas today.

>

>

>

>Please email or call me at your earliest convenience and confirm that

>the Kinko's is at 411 Encinitas Boulevard.

>

>

>

>I can be there at 10:30 a.m. Can you meet me at that time? I need to

>know this morning ASAP as I am heading out in the field by 9:00 a.m. I

>don't always get my emails on my blackberry. So, if you email me past
>9:00 a.m. and I don't respond, give me a call.

>

>

>

>Terri L. Scolari

>

>Senior Adjuster

>

>Amica Mutual Insurance Company

>

>858-486-9900

>

>tscolari@amica.com

>

>

>

>

>

>-----

>*****

>This email and any files transmitted with it are confidential and

>intended solely for the use of the individual or entity to whom

>they are addressed. If you have received this email in error

>please notify postmaster@amica.com and the sender of the message.

>Thank you.

>*****

>

Exhibit 16 A

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]

Sent: Friday, June 30, 2006 1:21 PM

To: SCOLARI, TERRI L.

Subject: RE: Amica

HELLO TERRI SCOLARI

I JUST GOT TO THE EMAILS JUST NOW

SORRY I MISSED THIS OPPURTUNITY....TO MET WITH YOU.....

LETS MAKE AN APPOINTMENT FOR MONDAY, JULY 3 2006 IF YOU CAN..
OR MAKE IT JULY 5 2006

LEAVE ME A TIME AND DATE..

I WILL BE THERE AT FED X KINKOS ON MY OWN PERSONAL LAP.TOP....
AT THE TIME AND DATE YOU CHOOSE

THANK YOU

MICHAEL FOX.....

Exhibit 17A

From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
To: "michael fox" <lfox449@hotmail.com>
CC: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>
Subject: RE: Amica
Date: Fri, 30 Jun 2006 16:52:02 -0400

Mr. Fox:

I am now an hour away from your location. I was up in your area until 1:00 p.m. today. Unfortunately, I will be on vacation starting this afternoon until July 10, 2006.

However, if you are willing to come down to my location, (Escondido or Poway) I will be happy to facilitate the meeting on my vacation time very near North County Fair in Escondido from Friday evening through, possibly, Tuesday evening and I can meet you there. But my available times are limited. Therefore, if you are sincerely interested in moving this along towards resolution, I suggest you go to a telephone booth and call me, collect TODAY and we can work out the details.

Otherwise, I will request that Mrs. Chapa work out alternative arrangements with you.

Terri L. Scolari
Senior Adjuster
Amica Mutual Insurance Company
858-486-9900

Exhibit 18A

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Mail

Calendar

Contacts

lfox449@hotmail.com

Reply | Reply All | Forward | X Delete | Put in Folder | Print View | Save Address

From : michael fox <lfox449@hotmail.com>

Inbox

Sent : Sunday, July 2, 2006 12:46 PM

To : TSCOLARI@AMICA.com

Subject : RE: Amica

HELLO TERRY SCOLARI

I SEE THE GAMES JUST CONTINUE TO PLAY OUT, WHEN YOU DEAL WITH THE INSURANCE COMPANIES, AND THE SICK GOVERNMENT THAT CONTROLS THEM..

I CAME TO YOUR LOCATION YOU TOLD ME TO BE AT ON SUNDAY..
YOU TOLD ME TO BE THERE AT 10AM--THAT YOUR DAUGHTER GAME STARTS AT 8:15AM AND THERE ALLOWED A HOUR AND A HALF TO PLAY..

I CAME EARLY, AROUND 7:45-AM ON SUNDAY
I LOOKED ALL OVER FOR YOU AND YOUR DAUGHTERS TEAM

I BELIEVE YOUR DAUGHTERS TEAM IS J2 FOR THE TOURNEMENT
AND YOU ARE NOT SCHEDULED TO PLAY UNTIL 1:30PM--ON SUNDAY

YOUR DAUGHTERS TEAM, PLAYED ON SATURDAY AT 8:15AM

AT APPROX 8AM SUNDAY, I TRYED TO CALL YOU FROM THE PAY PHONE, THERE AT THE BALL DIAMOND...YOU DID NOT ANSWER THE PHONE...I TRYED TWICE TO CALL YOU....

YOU ALSO GAVE ME THE WRONG WAY TO TURN OFF OF 1-15
AND THE NUMBER OF TRAFFIC LIGHTS I HAVE TO DRIVE THROUGH....

I WILL NOT BE MEETING WITH YOU NOW..

I WILL CONTACT THE CASEWORKER FOR THIS CLAIM, AND GET ANOTHER APPOINTMENT IN A DIFFERENT STATE WHERE I WILL BE STAYING..

SINCERELY
MICHAEL FOX

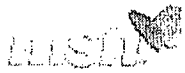
Exhibit 19A

Hotmail | My MSN | Hotmail | Shopping | Money | People & Chat

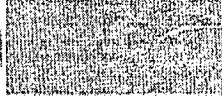
Sign Out

Web Search

Go



Hotmail



Today

Mail

Calendar

Contacts

lfox449@hotmail.com

Reply | Reply All | Forward | Delete | Junk | Put in Folder | Print View | Save Address

From : SCOLARI, TERRI L. <TSCOLARI@AMICA.com>

Inbox

Sent : Sunday, July 2, 2006 12:46 PM

To : "michael fox" <lfox449@hotmail.com>

Subject : Out of Office AutoReply: Amica

I am out of the office until Monday, July 10, 2006. If you need immediate assistance, please contact JZerba@amica.com or 1-800-242-6422, extension 32324.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify postmaster@amica.com and the sender of the message. Thank you.

Reply | Reply All | Forward

Inbox

Exhibit 20A

Get the latest updates from MSN

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
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MSN Hotmail Today Mail Calendar Contacts

fox449@hotmail.com

Reply | Reply All | Forward | Delete | Junk | Put in Folder | Print View | Save Address

From : Terri Lee Scolari <tscolari@cox.net>  Inbox
Sent : Monday, July 3, 2006 9:05 AM
To : <lfox449@hotmail.com>
CC : "SCOLARI, TERRI L" <TSCOLARI@AMICA.com>, <jzerba@amica.com>, <schapa@amica.com>
Subject : Amica

Mr. Fox:

I was there at the scheduled time of 10:00 a.m. I waited 45 minutes for you. We had our game at 8:15 as I told you. I did receive your two phone calls, but no way to call you back. I waited expecting to hear from you again as we discussed, prior to our 10:00 a.m. appointment. Unfortunately, when your calls came in, I was away from the phone momentarily. I was not expecting to hear from you at 8:00 a.m.

By copy of this email to my supervisor, James Zerba, you can communicate with him regarding rescheduling if you plan to be in California in the upcoming week. As you know, Mrs. Chapa is on vacation for two weeks and I am also out on vacation until July 10th.

Sorry we were not able to connect.

Terri L. Scolari
Senior Adjuster
Amica Mutual Insurance Company
858-486-9900

    Inbox

Exhibit 21A

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> >-----Original Message-----
> >From: michael fox [mailto:lfox449@hotmail.com]
> >Sent: Monday, July 10, 2006 10:23 PM
> >To: CHAPA, SHERON A.
> >Subject: Re: 2/3/06 accident
> >
> >HELLO SHERON
> >
> >MICHAEL FOX HERE..
> >
> >I AM IN A DIFFERENT LOCATION NOW, AND I NEVER SAW THE LAST AJUSTOR THAT
> >YOU
> >ARRANGED FOR ME TO MET.
> >
> >SO MY QUESTION IS, DO I NEED TO SEE ONE WHERE I AM AT CURRENTLY..
> >
> >I AM IN INCLINE VILLAGE,, NEVEDA..
> >
> >IF YOU COULD SET UP ANOTHER AJUSTOR TO SEE ME IN THIS AREA..
> >I CAN ONLY BE REACH BY EMAIL STILL..
> >
> >HAVE THE AJUSTOR GIVE ME 24 HOUR NOTICE, AND I CAN MET THEM AT ANYTIME,
> >AT
> >THERE LOCATION THEY CHOOSE..
> >
> >ALSO I NEED TO SEE A DOCTOR ON MY NECK AND SPINE/BACK..AND THESE
> >HEADACHES
> >I
> >AM HAVING..
> >
> >DO I JUST GO TO ANY DOCTOR I CHOOSE, OR DO YOU SET THE APPOINTMENT UP
> >WITH
> >A
> >DOCTOR..
> >
> >THANKS.
> >MICHAEL FOX
> >

Exhibit 22A

From : CHAPA, SHERON A. <SCHAPA@AMICA.COM>
Sent : Monday, July 10, 2006 11:23 PM
To : "michael fox" <lfox449@hotmail.com>
Subject : Out of Office AutoReply: 2/3/06 accident

I will be on vacation from July 3 to July 14, 2006. If you need assistance, you can contact Brian Cremer the week of July 10, 2006, at extension 65157. He will also be on vacation the week of July 3rd.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify postmaster@amica.com and the sender of the message. Thank you.

Exhibit 23A

>
> >From: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>
> >To: "michael fox" <lfox449@hotmail.com>
> >Subject: RE: 2/3/06 accident
> >Date: Mon, 17 Jul 2006 16:04:46 -0400
> >
> >Michael,
> >
> >We still need to have an adjuster meet with you for a statement about the
> >accident and your injuries. Are you still in Incline Village, Nevada?
> >We
> >don't have a branch office there, but should be able to locate an
> >independent adjuster to meet with you. Please let me know if you are
> >still
> >there and how much longer you will be there. I will need at least 1 day
> >on
> >my end to locate an adjuster in your area and get the appropriate
> >information to the adjuster and then, they will schedule an appointment
> >with you depending on their schedule. Unfortunately, most adjusters have
> >their appointments scheduled a week in advance, so I can't promise you
> >that
> >the adjuster will be available to meet with you the day after they
> >receive
> >the assignment from us. The adjuster will contact you directly to set up
> >the meeting.
> >
> >As far as your injuries and treatment are concerned, we do not refer
> >claimants to doctors and it will be your responsibility to locate a
> >doctor
> >and manage your own care. We are unable to pay any medical bills as they
> >are incurred, so you will be responsible for paying for the treatment
> >until
> >the claim is settled. Once again, the accident occurred over 5 months
> >ago
> >and we will have to take that into consideration on any settlement.
> >
> >We will make sure that the adjuster who meets with you advises you on how
> >BI claims are handled and what you can expect.
> >
> >Please let me know where you are currently located and your estimated
> >length of stay at your earliest convenience. Please not the time on this
> >email as I will be leaving my office at 4 PM. I am going to be in a
> >trial
> >all week so my response time will be slower as my access to email and
> >phone
> >will be limited.
> >
> >Sheron Chapa, AIC
> >Senior Adjuster
> >Amica Mutual Insurance

Exhibit 24 A

>-----Original Message-----

>From: michael fox <fox449@hotmail.com>

>To: CHAPA, SHERON A.

>Sent: Tue Jul 25 13:09:33 2006

>Subject: RE: 2/3/06 accident

>HELLO SHERON CHAPA

>

>I AM GOING BACK TO INCLINE VILLAGE NEVEDA..

>AND WOULD LIKE YOU TO SET AN APPOINTMENT WITH AN AJUSTER IN INCLINE

>VILLAGE..

>

>IF YOU WILL, HAVE THEM MEET ME AT STARBUCKS COFFEE IN INCLINE VILLAGE, ON

>MONDAY JULY 31 2006 AT 10AM...

>I WILL BE INSIDE AND ON THE COMPUTER THERE....

>

>PLEASE HAVE THE AJUSTER CONTACT ME BY EMAIL TO CONFIRM THIS APPOINTMENT..

>

>THANK YOU

>MICHAEL FOX

>

Exhibit 25A

>From: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>

>To: <lfox449@hotmail.com>

>Subject: Re: 2/3/06 accident

>Date: Tue, 25 Jul 2006 13:49:45 -0400

>

>I have not been able to locate an adjuster to meet with you in incline
>village. We will have to wait until you get somewhere else. Any chance
>you will be returning to the san diego area,

>Sheron Chapa

>Senior Claims Adjuster

>Amica Mutual Insurance Company

>888.887.9310 (Office)

>Email sent from BlackBerry

Exhibit 26A

From : CHAPA, SHERON A. <SCHAPA@AMICA.COM>
Sent : Wednesday, July 26, 2006 10:43 AM
To : "michael fox" <lfox449@hotmail.com>
Subject : FW: 2/3/06 accident

Sorry, Michael. We don't have anyone to meet with you in Incline Village, NV. Please advise when you will return to San Diego and we will have Terri Scolari contact you to schedule the meeting. Thanks.

Sheron Chapa, AIC
Senior Adjuster
Amica Mutual Insurance
14090 Southwest Frwy, Suite 500
Sugar Land, TX 77478
(888) 887-9310 x65119
Fax (888) 818-2887
schapa@amica.com

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]
Sent: Tuesday, July 25, 2006 1:19 PM
To: CHAPA, SHERON A.
Subject: Re: 2/3/06 accident

HELLO SHERON

I AM IN SAN DIEGO RIGHT NOW, AND I AM LEAVING HERE IN ABOUT 30 MINUTES..

FIND SOMEONE FOR INCLINE VILLAGE NEVEDA..
I WILL BE THERE MONDAY AT STARBUCKS..

THANK YOU
MICHAEL FOX

Exhibit 27A

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]
Sent: Thursday, July 27, 2006 8:58 AM
To: CHAPA, SHERON A.
Subject: RE: Recall: 2/3/06 accident

SHERON CHAPA..

I'M GETTING A LITTLE CONFUSED RIGHT NOW..

IF YOU SCROLL DOWN YOU WILL SEE THE LAST MESSAGE YOU SENT....

ARE YOU GOING TO GET AN AJUSTER FOR INCLINE VILLAGE NEVEDA....

I DO'NT UNDERSTAND WHY YOU CANT GET AN AJUSTER FOR THAT AREA....

IF YOU CAN PLEASE DO...

IF NOT---TRY AN AJUSTER FOR CARSON CITY NEVEDA
OR AN AJUSTOR FOR RENO NEVEDA...

AND SET IT UP FOR MONDAY THE 31 OF JULY 2006

I WILL HAVE NOTHING TO DO WITH YOUR AJUSTER IN SAN DIEGO...
YOU CAN FORGET THAT WOMEN AN HER NONSENSE...

THANK YOU
MICHAEL FOX

Exhibit 28A

From : CHAPA, SHERON A. <SCHAPA@AMICA.COM>
Sent : Thursday, July 27, 2006 6:41 PM
To : "michael fox" <lfox449@hotmail.com>
Subject : RE: Recall: 2/3/06 accident

Michael,

I sent you a message but misspelled your name, so I recalled the message, corrected your name and resent it. It appears you did not receive the corrected message?

We don't have any adjusters in any part of the Nevada area at this time. Are you planning on being in Northern California in the near future? We have an office in Northern California (Petaluma) and would be able to get an adjuster from there to meet with you. We also have an office in Costa Mesa. We do not have any other adjusters in the San Diego area beside Teri Scolari and, as noted below, you are not interested in meeting with her.

Let me know if any of these other options will work. Again, the adjuster will get in touch with you and schedule an appointment that will work for you. Again, please provide as much time as possible to allow me to contact the appropriate office to get this assigned to an adjuster for contact with you. Thanks.

Sheron Chapa, AIC
Senior Adjuster
Amica Mutual Insurance
14090 Southwest Frwy, Suite 500
Sugar Land, TX 77478
(888) 887-9310 x65119
Fax: (888) 818-2887
schapa@amica.com

~~EXHIBIT 29A~~
~~EXHIBIT 29A~~
Exhibit 29A

From : CHAPA, SHERON A. <SCHAPA@AMICA.COM>
Sent : Tuesday, October 17, 2006 2:09 PM
To : "michael fox" <lfox449@hotmail.com>
Subject : 2/3/06 accident

Michael,

As you are aware, we previously offered you \$1650 based on your St. Joseph Hospital bill of \$823.72. We are unable to do anything further to investigate and evaluate your injury claim without your complete cooperation, which includes securing your statement about the accident, your injuries and all treatment. If you are interested in settling your claim for the amount offered, we will do what we can to coordinate you signing a release and providing a check for the settlement.

We have noted your \$250 million settlement demand, but that is no where near reasonable for a soft tissue injury with the only treatment being an ER visit following the accident. For comparison sake – an accident involving a fatality would not even warrant a \$250 million settlement.

Look forward to hearing from you,

Sheron Chapa, AIC

Senior Adjuster

Amica Mutual Insurance

14090 Southwest Frwy, Suite 500

Sugar Land, TX 77478

(888) 887-9310 x65119

Fax (888) 818-2887

schapa@amica.com

Exhibit 30 A

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]
Sent: Sunday, October 22, 2006 8:17 AM
To: CHAPA, SHERON A.
Subject: RE: 2/3/06 accident

HELLO SHERON CHAPA..

I JUST GOT TO MY EMAILS, AND SEE YOU HAVE SENT ANOTHER ONE....

YOUR SETTLEMENT AMOUNT IS TOTALY CRAZY.....

I JUST GOT OUT OF THE HOSPITAL BECAUSE OF THIS CAR ACCIDENT..
I SPENT 5 DAYS IN THERE....

AND THE GRIEF OF THIS ACCIDENT JUST CONTINUES....
AND WILL FOR THE REST OF MY NATURAL LIFE.....

IF I COULD ONLY FIND AN ATTORNEY THAT WOULD TAKE THIS CASE, AND NOT LET
THE
SICO SICK GOVERMENT AND ITS SICO POLICE FORCE INTERVINE, YOU CAN BET,
THAT
SOME HEADS ARE SURLY TO ROLL, RIGHT INTO A JAIL CELL WHERE THEY
BELONG....

I AM BACK IN THE SAN DIEGO AREA, AND IF YOU WANT A STATEMENT, THEN SET
UP
YOUR APPOINTMENT WITH YOUR AJUSTER...

AND SET IT UP FOR THIS COMMING SAT... OCT 28 2006....

THANK YOU

Exhibit 31A

From : CHAPA, SHERON A. <SCHAPA@AMICA.COM>
Sent : Tuesday, October 24, 2006 11:21 AM
To : "michael fox" <lfox449@hotmail.com>
Subject : RE: 2/3/06 accident

Michael,

The adjuster is on vacation and won't be available until after 10/30/06.
I'll have her email you to schedule something with you when she returns.

Why were you in the hospital for 5 days, what testing and treatment did
you receive and what was the diagnosis?

Sheron Chapa, AIC
Senior Adjuster
Amica Mutual Insurance
14090 Southwest Frwy, Suite 500
Sugar Land, TX 77478
(888) 887-9310 x65119
Fax (888) 818-2887
schapa@amica.com

Exhibit 32A

From: Michael Fox <31024490@hotmail.com>
Sent: Wednesday, November 1, 2006 9:57 PM
To: SCHAPA@AMICA.COM
Subject: RE: 2/3/06 accident

HELLO SHERON CHAPA

I HAVE NOT HEARD FROM YOUR AJUSTER....

AS YOU STATED SHE WOULD BE BACK OCT 30 2006

I CAN ONLY BE REACHED BY EMAIL...

IF THERE ARE ANY PROBLEMS
SEND ME AN EMAIL

THANK YOU
MICHAEL FOX

Exhibit 33 A

> > > > >From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
> > > > >To: "michael fox" <lfox449@hotmail.com>
> > > > >Subject: Amica
> > > > >Date: Thu, 2 Nov 2006 12:15:28 -0500
> > > > >
> > > > >11/2/06
> > > > >
> > > > >
> > > > >
> > > > >Mr. Fox:
> > > > >
> > > > >
> > > > >
> > > > >Would you please telephone me and let me know a convenient time

>to
> > >meet
> > > >with you in San Diego.
> > > >
> > > >
> > > >
> > > >Thank you
> > > >
> > > >
> > > >
> > > >
> > > >
> > > >Terri L. Scolari
> > > >
> > > >Senior Adjuster
> > > >
> > > >Amica Mutual Insurance Company
> > > >
> > > >858-486-9900
> > > >
> > > >888-818-8801 (fax)
> > > >
> > > >tscolari@amica.com
> > > >

Exhibit 34A

> > > >-----Original Message-----
> > > >From: michael fox [mailto:lfox449@hotmail.com]
> > > >Sent: Thursday, November 02, 2006 4:16 PM
> > > >To: SCOLARI, TERRI L.
> > > >Subject: RE: Amica
> > > >
> > > >HELLO TERRY SCOLARI
> > > >
> > > >YOU CAN NAME THE PLACE AND TIME YOU WANT TO MEET---THIS SAT OR
> > > >SUN.
> > > >SEND ME AN EMAIL
> > > >
> > > >I'M IN DOWNTOWN MYSELF....
> > > >
> > > >THANK YOU
> > > >MICHAEL FOX

Exhibit 35A

> > > >From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
> > > >To: "michael fox" <lfox449@hotmail.com>
> > > >Subject: RE: Amica
> > > >Date: Thu, 2 Nov 2006 19:22:49 -0500
> > > >
> > > >Mr. Fox:
> > > >
> > > >I can meet you M-F from 8:00 a.m. to 4:00 p.m. I am in Poway.
> > > >
> > > >Terri Scolari

Exhibit 36A

> > >
> > >-----Original Message-----
> > >From: michael fox [mailto:lfox449@hotmail.com]
> > >Sent: Thursday, November 02, 2006 4:50 PM
> > >To: SCOLARI, TERRI L.
> > >Subject: RE: Amica
> > >
> > >MS. SCOLARI

> > >
> > >WHAT ARE YOU SAYING...
> > >SAT OR SUN IS NOT GOOD....
> > >AND DO I AGAIN HAVE TO DRIVE AND SEE YOU....
> > >AND YOU AGAIN NOT BEING THERE...
> > >
> > >I'LL SEND YOU AN EMAIL LATER, WITH A PLACE IN SAN DIEGO...
> > >AND WE CAN MEET AT 1 PM ----NEXT WEEK
> > >IF YOU DO'NT WANT TO DO IT THIS WEEK END..
> > >
> > >MICHAEL FOX
> > >

Exhibit 37A

> > >From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
> > >To: "michael fox" <lfox449@hotmail.com>
> > >CC: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>
> > >Subject: RE: Amica
> > >Date: Thu, 2 Nov 2006 19:58:55 -0500
> > >
> > >Mr. Fox:
> > >
> > >Business hours are Monday through Friday from 8:00 a.m. to 4:00
p.m.
> I
> > >have commitments on the weekend. The last time I attempted to meet

> > you,
> > >I made an exception, on my vacation, to facilitate the handling of
> your
> > >claim.
> > >
> > >Why don't you just give me a call, collect, so that we can discuss
a
> > >mutually agreeable date, time and place to meet. It must be in a
> > public
> > >place. You do not have to come to Poway if that is not convenient
> for
> > >you. I will come to your location.
> > >
> > >Going back and forth by email is difficult. I have other scheduled

> > >commitments during the week. Please call me so that we can
discuss.
> > >
> > >Thank you,
> > >
> > >Terri L. Scolari
> > >Senior Adjuster

Exhibit 38A

> >-----Original Message-----
> >From: michael fox [mailto:lfox449@hotmail.com]
> >Sent: Thursday, November 02, 2006 5:41 PM
> >To: SCOLARI, TERRI L.
> >Subject: RE: Amica
> >
> >MS SCOLARI
> >
> >BEST TIME IS THEN MON THRU FRI AT 1 PM
> >I WILL FIND A LOCATION IN A PUBLIC PLACE...
> >
> >I BELIEVE THERE IS A STARBUCKS COFFEEE WHERE I AM THINKING..
> >WILL CONTACT YOU TOMORROW WITH A LOCATION..
> >JUST MAKE IT FOR 1PM----ANY DAY OF THE WEEK FOR YOUR CHOICE
> >
> >MICHAEL FOX
> >

39A

> > .

Exhibit 40A

>-----Original Message-----

>From: michael fox [mailto:lfox449@hotmail.com]
>Sent: Saturday, November 04, 2006 9:34 AM
>To: SCOLARI, TERRI L.
>Subject: RE: Amica
>

>-----MS. SCOLARI-----

>THE STAR BUCKS COFFEE IS ON THE CORNER OF BROADWAY AND KETTNER.....
>IF YOUR ON PACIFIC HWY. AND TURN ON TO BROADWAY, IT WILL BE THE FIRST
>LIGHT
>YOU COME TO, AND STARBUCKS WILL BE ON YOUR LEFT HAND SIDE, ON THE OTHER

>SIDE
>OF THE LIGHT.....RIGHT WHERE THE TROLLEY TRACKS ARE.....
>
>ALSO I HAVE BEEN THINKING....I'M GOING TO GIVE YOU A WRITTEN STATEMENT
>ON MY
>SITUATION, WHICH WILL BE NOTORIZED....
>
>I UTTERLY DO NOT TRUST THE GOVERMENT WHICH IS THE REASON FOR THIS
STAGED
>CAR
>WRECK, AND THE PEOPLE THEY CONTROL....I'M DONE WITH THE LIES AND THE
>CRIMES
>THESE PEOPLE HAVE DONE AND ARE CAPABLE OF.....
>
>SEND ME ANY QUESTIONS YOU WANT ANSWERED, BY EMAIL, AND I WILL ANSWER
>THEM IN
>MY LETTER TO AMICA INSURANCE...
>
>I WILL WANT YOU TO SIGN MY COPY OF MY STATEMENT THAT YOU RECIEVED
IT....
>
>FURTHERMORE, I WOULD LIKE TO MEET NOT THIS COMMING WEEK, BUT THE
>FOLLOWING
>WEEK...THIS WILL GIVE ME MORE TIME AND YOURSELF TO FIT IN BOTH OF ARE
>SCHEDULES.
>
>AND I NEED TO HAVE THE APPOINTMENT FOR 1PM SHARP, AND CAN BE NO LONGER
>THAN
>ONE HALF HOUR.....YOU PICK ANY DAY OF THE WEEK OF THE 13 THRU THE 17
>OF
>NOV 2006...
>
>I WILL BE WEARING BLUE SWEAT PANTS AND WEARING A GREEN PLAIDE SHIRT....
>6 FOOT TALL WITH BLOND/BROWN HAIR AND 260LBS....
>
>THANK YOU
>MICHAEL FOX

Exhibit 41A

>From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
>To: "michael fox" <lfox449@hotmail.com>
>Subject: RE: Amica
>Date: Mon, 6 Nov 2006 11:55:27 -0500
>
>November 6, 2006
>
>Mr. Fox:
>
>We have made every effort to accommodate you in order to address your
>injury claim. Unfortunately, you have made communication difficult.
>
>It is your responsibility to provide cooperation and documentation of
>your injury in order that we may evaluate it and compensate you
>accordingly. Again, the burden of proof is yours, not ours. This
would
>include copies of all medical records and bills for treatment incurred
>to treat injuries that were a direct result of this motor vehicle
>accident.
>
>I am authorized at this time to make an exception to our standard
>procedures and requirements by making you a conditional one-time offer.

>This offer will expire in twenty-four (24) hours from the date of this
>e-mail. The condition is that I will meet with you, obtain a signed
>full release of all claims and deliver the check to you at that time.
>This can be accomplished during the week you have requested at 1:00
>sharp at the downtown Starbucks. We will require no documentation of
>your injury nor copies your medical records in connection with this
>one-time offer.
>
>If you reject our offer, it will then be up to you to return to the
>State in which the accident occurred, present your evidence in support
>of your injury claim in adherence to the jurisdictional requirements
and
>prove-up your claim.
>
>Our "ONE-TIME" offer is \$5,000.00.
>
>Very truly yours,
>
>
>
>Terri L. Scolari
>Senior Adjuster
>858-486-9900
>888-818-8801 (fax)
>tscolari@amica.com

Exhibit 42 A

-----Original Message-----

From: michael fox [mailto:fox449@hotmail.com]
Sent: Monday, November 06, 2006 5:26 PM
To: SCOLARI, TERRI L.
Subject: RE: Amica

MS. SCOLARI

YOUR OFFER IS A UTTER JOKE

DO YOU WANT A WRITTEN STATEMENT....?

OR FROM WHAT I HAVE READ IN YOUR LAST EMAIL...
GO FIND AN ATTORNEY AND FILE A COMPLAINT....THATS MY OPTION IF I DO'NT
EXCEPT YOUR OFFER.....

YOU CAN KEEP YOUR OFFER....
I'VE MISSED 1500 DOLLARS IN WORK OR MORE SO FAR.....

I HAVE A HOSPITAL AND DOCTOR BILLS, AND MEDICATION BILLS EXCEEDING
13,000
SINCE MY TRIP TO THE HOSPITAL...AND THERE ONLY GOING TO GET BIGGER....

NO SINCE EXPLAINING NO MORE.....
TELL ME WHAT YOU WANT TO DO, I'M TIRED OF THE NONSENSE....

MICHAEL FOX

Exhibit 43 A

-----Original Message-----

From: SCOLARI, TERRI L.
Sent: Tuesday, November 07, 2006 9:12 AM
To: 'michael fox'
Subject: RE: Amica

I am so sorry if I offended you. I was totally unaware of the nature or extent of your injuries.

I would, therefore, like to meet with you on Monday 11/13/06 at the Starbucks on Kettner & Broadway in downtown San Diego at 1:00 p.m. sharp.

Please confirm you will be there. If you have any medical bills/records, please make copies so that you can provide those to me at that time.

Thank you for your anticipated cooperation.

Terri L. Scolari
Senior Adjuster
Amica Mutual Insurance Company
858-486-9900

Exhibit 44A

[MSN Home](#) | [My MSN](#) | [Hotmail](#) | [Shopping](#) | [Money](#) | [People & Chat](#)

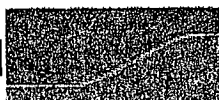
[Sign Out](#)

Web Search:

[Go](#)



Hotmail



[Today](#)

[Mail](#)

[Calendar](#)

[Contacts](#)

[lfox449@hotmail.com](#)

[Reply](#) | [Reply All](#) | [Forward](#) | [Delete](#) | [Junk](#) | [Put In Folder](#) | [Print View](#) | [Save Address](#)

From : SCOLARI, TERRI L. <TSCOLARI@AMICA.com>

[Inbox](#)

Sent : Tuesday, November 7, 2006 11:12 AM

To : "michael fox" <lfox449@hotmail.com>

Subject : RE: Amica

Why don't you just give me a call and we can talk.
You can call collect.

Terri Scolari
858-486-9900

Exhibit 45A

From: "SCOLARI, TERRI L." <TSCOLARI@AMICA.com>
To: "michael fox" <lfox449@hotmail.com>
Subject: FW: Amica
Date: Thu, 9 Nov 2006 10:32:27 -0500

Mr. Fox:

Would you please respond so that I know whether or not you will agree to
meet with me on Monday 11/13/06. Thank you very much.

Terri Scolari

Exhibit 46A

MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat



Web Search:



Hotmail



Today

Mail

Calendar

Contacts

lfox449@hotmail.com

Reply | Reply All | Forward | Delete | Put in Folder ▼ | Print View | Save Address

From : michael fox <lfox449@hotmail.com>

| | | Inbox

Sent : Thursday, November 9, 2006 10:28 PM

To : TSCOLARI@AMICA.com

Subject : RE: FW: Amica

MS. SCOLARI

I REALLY DO'NT KNOW WHAT THERE IS TO DISCUSS...OR MEET FOR...
AS I SAID, I'M SICK AND TIRED OF THE NONSENSE, AND THE LIES....

THE FOLLOWING IS WHATS HAPPENING RIGHT NOW.....
I CURRENTLY SEE ONE DOCTOR EVERY OTHER TUESDAY RIGHT NOW..
I WAS GOING WEEKLY..

AND THE OTHER DOCTOR, I SEE EVERY TWO WEEKS...

EVERY DOCTOR I HAVE SEEN, INCLUDING THE HOSPITAL DOCTORS.. SAYS I'M LUCKY THAT I AM
NOT DEAD, OR HAD A STROKE, AND THAT I COULD HAVE EASILY BEEN PARAILIZED IN SOME SHAPE
OR FORM DUE TO THE STROKE....

IF THINGS DO'NT GET BETTER THERE WILL BE OPERATIONS.....
AND AS OF RIGHT NOW, MY HEALTH IS NOT GETTING BETTER AS THEY THOUGHT IT WOULD..
SO I AM EXPECTING IN THE NEXT COUPLE OF MONTHS IF THINGS DO'NT IMPROVE, THERE WILL BE
SPECIALIST DOCTORS, AND OPERATIONS TO BRING ME BACK TO HEALTH...

I'LL BE DAMMED IF YOU EVER THINK I WILL TAKE A SETTLEMENT, WHEN MY HEALTH IS
TERRIBLE.....AND I NEED MEDICAL TREATMENT.....

I'M 47 YEARS OLD....AND IF I LIVE TO 78 YEARS OLD... 30 MORE YEARS.....I WILL NOT LIVE
WITH PHYSICAL AILMENTS, DUE BECAUSE OF THIS CAR ACCIDENT....
THE BIGGEST PROBLEM RIGHT NOW IS A VERY POSSIBLE STROKE...OR HEART ATTACK...AND I WILL
HAVE TO LIVE THIS WAY FOR THE REST OF MY LIFE... I DO'NT THINK SO.....
SO.....I'M AM DOING EVERYTHING POSSIBLE TO HAVE MY HEALTH BACK TO THE WAY IT
WAS...

THATS IT...

MICHAEL FOX

Exhibit ~~47A~~
47A

MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat

Sign Out

Web Search:

Go



Hotmail



Today

Mail

Calendar

Contacts

lfox449@hotmail.com

Reply | Reply All | Forward | Delete | Put in Folder | Print View | Save Address

From : michael fox <lfox449@hotmail.com>
Sent : Sunday, November 12, 2006 11:59 PM
To : TSCOLARI@AMICA.com
Subject : RE: FW: Amica

Inbox

MS. SCOLARI

I NEVER HEARD A RESPONSE FROM THE LAST EMAIL, I SENT, SO I AM SENDING IT AGAIN...

IF YOU SCROLL DOWN FROM THIS EMAIL, YOU WILL READ THE EMAIL I SENT ON THURS. NOVEMBER 12 2006

IF YOU WOULD PLEASE, SEND ME A EMAIL CONFIRMINIG THAT YOU RECIEVED IT....

AS I HAVE STATED, I'M TIRED OF THE LIES AND NONSENSE... AND I DO'NT WHAT TO HEAR THAT YOU NEVER GOT THE EMAIL...

SO I AM SENDING IT AGAIN, ASKING YOU TO CONFIRM THAT YOU RECIEVED IT....

MICHAEL FOX

~~RE~~

Exhibit 48A

lfox449@hotmail.com

 Reply |  Reply All |  Forward |  Delete |  Junk |  Put In Folder ▼ |  Print View |  Save Address

From : SCOLARI, TERRI L. <TSCOLARI@AMICA.com>

 |  |  |  Inbox

Sent : Monday, November 13, 2006 10:08 AM

To : "michael fox" <lfox449@hotmail.com>

Subject : RE: FW: Amica

Mr. Fox:

I sent you two emails - one on 11/7 and again on 11/9. I am sending them again, but the meeting I proposed was for today. I received no notification that the emails were "undelivered"

Terri Scolari

Exhibit 49A

**** STARBUCKS COFFEE COMPANY ****

BROADWAY & KETTNE #05797
SAN DIEGO CA92101
1 VT LTMOC FRAPP 4.00
SUBTOTAL 4.00
TOTAL 4.00
MASTERCARD 4.00
CARD#: XXXXXXXXXXXX3548
CHANGE DUE 0.00

05797 0282 701583 001199492E
11/13/06 13:11

Love What You Do.
Talk to a store manager
about working at Starbucks or
visit Starbucks.com/careers.

Exhibit 49B

MSN Home | My MSN | Hotmail | Shopping | Money | People & Chat

Sign Out

Web Search:

Go



Hotmail



Today

Mail

Calendar

Contacts

lfox449@hotmail.com

Reply | Reply All | Forward | Delete | Put in Folder | Print View | Save Address

From : michael fox <lfox449@hotmail.com>

Inbox

Sent : Monday, November 13, 2006 8:20 PM

To : TSCOLARI@AMICA.com

Subject : RE: FW: Amica

MS. SCOLARI...

I WAS THERE AT 1 PM TODAY.....MONDAY NOV. 13 2006 AT 1PM/PST.....JUST IN CASE YOU DECIDED TO SHOW UP....

AND I SEE THE SICO SICK GOVERNMENT /POLICE WHERE THERE ALSO...

I ALMOST WONDER IF YOU WERE THERE... BUT NEVER SAID A THING....I TOLD YOU WHAT I WOULD BE WEARING, AND WHAT I LOOKED LIKE....YOU NEVER STATED A THING ABOUT YOURSELF...

I GUESS THE GAMES AND NONSENSE WILL NEVER END....WHEN EVER YOU DEAL WITH THE INSURANCE COMPANYS, AND THE POLICE /GOVERNMENT BEHIND THEM.....WHAT A FRIGGIN JOKE...

YOU NEVER RESPONDED TO THE EMAIL I LEFT ON THURSDAY NOV 9 2006 AT 10:28 PM/EASTERN STANDARD TIME...

SO SINCE I NEVER HEARD A THING FROM YOU, I RESENT THE EMAIL, SUNDAY NIGHT NOV 12 2006 AT 11:59 PM/EASTERN STANDARD TIME.....

SO YOU MUST HAVE GOTTEN THEM....

AND AS I ORIGINALLY THOUGHT, YOU WOULD SAY YOU NEVER RECEIVED THEM....

AS I SAID,,, I'M TIRED OF THE NONSENSE AND THE LIES...

YOU AND YOUR POLICE /GOVERNMENT MAKE DAMN SURE I AM NEVER ABLE TO RETAIN LEGAL COUNSEL.....I HAVE ALL INTENT TO FILE A COMPLAINT AGAINST YOU, AND YOUR AMICA INSURANCE COMPANY, AND MY OWN INSURANCE COMPANY.....AND THAT MAN AND WOMEN THAT CAUSED THIS STAGED ACCIDENT...ALONG WITH THE GALVESTON POLICE.....

IF I CAN, I WOULD LOVE TO HAVE YOU ALL CHARGED WITH TERRORISM, AND EVERY ONE OF THERE TEAM PLAYERS PUT IN A JAIL CELL FOR THE REST OF YOUR NATURAL LIVES..

RIGHT WHERE YOU ALL BELONG.....

HOW MANY OTHER PEOPLE HAVE TO SUFFER BECAUSE OF YOUR INTENT TO CAUSE HARM, WILLFULLY AND MALICIOUSLY.....

DO'NT BOTHER TRYING TO CONTACT ME AGAIN.....

I'M DONE WITH IT...

MICHAEL FOX

Exhibit 50A

>From: "PARMELEE, RICHARD A. (Richard)" <RPARMELEE@AMICA.com>
>To: <lfox449@hotmail.com>
>Subject: Calim #L2700601489
>Date: Wed, 10 Jan 2007 12:54:58 -0500
>
>Date of loss: February 3, 2006
>
>Mr. Fox;
>
>I've been assigned to assist with this file. In furtherance of my
>investigation, I will need to meet with you for a statement. I will
also
>need copies of all medical reports. Please contact me as soon as
>possible.
>
>Thank you,
>

>Senior Investigator, Amica Mutual Insurance Company
>

>1 (800) 226-1679, ext. 32359
>
>
>
>
>

>-----
>*****
>This email and any files transmitted with it are confidential and
>intended solely for the use of the individual or entity to whom
>they are addressed. If you have received this email in error
>please notify postmaster@amica.com and the sender of the message.
>Thank you.
>*****
>

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Exhibit 51A

-----Original Message-----

From: michael fox [mailto:ifox449@hotmail.com]
Sent: Wednesday, January 10, 2007 10:43 AM
To: PARMELEE, RICHARD A. (Richard)
Subject: RE: Calim #L2700601489

MR. RICHARD PARMELEE...

JUST RECIEVED YOUR EMAIL

AS FAR AS I AM CONCERN. I AM DONE DEALING WITH THE NONSENSE. AND THE
SICK PEOPLE THAT ARE INVESTIGATING ME....

BECAUSE OF THE BREAK DOWN WITH AMICA INSURANCE SENIOR AJUSTERS AND THERE
INTIMADATION TACTICS AND FURTHER THERE NONSENSE AND LIES....INCLUDING
AGAIN THE PEOPLE THAT ARE INVESTAGATING ME....

I AM CURRENTLY CONSULTING LEGAL RERESENTATION..

NO NEED TO CONTACT ME AGAIN....

THANK YOU
MICHAEL FOX

Exhibit 52A

From : PARMELEE, RICHARD A. (Richard) <RPARMELEE@AMICA.com>
Sent : Wednesday, January 10, 2007 1:49 PM
To : "michael fox" <lfox449@hotmail.com>
CC : "ZERBA, JAMES M. (Jim)" <JZERBA@Amica.com>
Subject : RE: Calim #L2700601489

Mr. Fox: Thank you for responding to my email. When you have retained legal counsel, please have your attorney send us a Letter of Representation and a signed Letter of Designation. Please feel free to contact me with any questions you might have. Please be advised I can not communicate with you once you have an attorney. Thank you,
Richard Parmelee

Exhibit 53A

[illegible]



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Tracking number 859218744845
Signed for by J. COLE
Ship date Jan 10, 2007
Delivery date Jan 12, 2007 10:14 AM
Status Delivered

Delivered to
Service type
Weight

Receptionist/Front Desk
FedEx 2Day Service
2.0 lbs.

Wrong Address?
Reduce future mistakes by using
[FedEx Address Checker](#).

**Tracking a FedEx SmartPost
Shipment?**
Go to [shipper login](#)

Date/Time	Activity	Location	Details
Jan 12, 2007	10:14 AM Delivered		
	7:35 AM On FedEx vehicle for delivery	AUSTIN, TX	
	6:43 AM At local FedEx facility	AUSTIN, TX	
Jan 11, 2007	6:13 PM At dest sort facility	AUSTIN, TX	
	3:27 PM Departed FedEx location	MEMPHIS, TN	
	12:11 PM Arrived at FedEx location	MEMPHIS, TN	
Jan 10, 2007	9:27 PM At local FedEx facility	SAN DIEGO, CA	
	6:50 PM Left origin	SAN DIEGO, CA	
	1:27 PM Picked up	SAN DIEGO, CA	

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Your E-mail Address:

E-mail address	Language
<input type="text"/>	English
<input type="text"/>	English
<input type="text"/>	English
<input type="text"/>	English

Exception
updates

Delivery
updates

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Add personal message:

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TELEFAX: (512) 476-4400
WEBSITE: www.whoblaw.com

January 12, 2007

Via Regular and CMRRR

Michael T. Fox
General Delivery
San Diego, CA 92138


Re: Your potential case

Dear Mr. Fox:

Thank you for contacting us concerning your potential claim.

We will not be able to represent you.

Sincerely yours,


Eugene W. (Chip) Brees

EWB/mw
Enclosure

Exhibit 53D

The Man Who Dick Cheney Shot

By MIKE ALLEN/WASHINGTON

Monday, Feb. 13, 2006



Attorney Harry
Whittington
Austin, Tex.

KELLY WEST
STATESMAN

Accidentally shooting a lawyer is never a good idea, especially one who's known for being something of a pistol himself. But Harry M. Whittington, the irascible, 78-year-old attorney from Austin who wound up on the wrong end of the Vice President's quail-hunting gun on Saturday, is a longtime supporter of President Bush and longtime friends with White House deputy chief of staff Karl Rove, with whom he helped build the once-moribund Texas Republican Party into today's powerhouse. And he is said by friends to be taking his wounds with good humor.

Email

Reprints

Whittington, a wealthy real-estate investor, is well-known in the Texas capital for a six-year dispute with the city over a downtown block owned by his family that was taken by the city for use as a parking garage. Just two weeks ago, he won his third legal victory in the case, a ruling from the Texas Supreme Court.

A Mr. Fix-It who has taken over troubled state agencies for several governors, including George W. Bush, he is often the first to arrive — by 5:30 or 6 a.m. — in the workout room of the West

Austin club he helped found. After getting both his undergraduate and law degree from University of Texas, Whittington eventually became very active in Texas Republican circles, serving once as the only Republican on the board of the Texas Department of Corrections, now the Texas Board of Criminal Justice, and also doing a stint as chairman of the Texas Public Finance Authority Board. "He's very tough," James R. Huffines, chairman of the Board of Regents of the University of Texas System, and a 25-year friend of Whittington, told TIME. "He's a real tenacious competitor in everything he does. I hate to use this pun, but he really is a straight shooter in all sense of the word, with a real sense of right and wrong for the taxpayers."

The White House did not announce the incident, but confirmed it when the Corpus Christi Caller-Times asked about it more than 12 hours after the 5:30 p.m. Saturday incident. White House Press Secretary Scott McClellan was peppered Monday with questions about that decision. "The very first priority was making sure that Mr. Whittington was getting the medical care he needed," McClellan said. "Secondary to that is gathering the facts so you can provide that information to the public. Those facts were coming back to us throughout the evening and into the morning."

Whittington was listed in stable condition. "He seems in good spirits. He's talking and conversing," said Yvonne Wheeler, a spokeswoman for Christus Spohn Hospital Corpus Christi-Memorial. "His condition is really looking good. They're just taking every precautionary measure. Recovery looks very positive." Added Peter Banko, the hospital's administrator, "He is a true gentleman... I hate to say sweetheart because it makes me sound like a female, but he is wonderful to be around. He is joking with the staff." Whittington was expected to be taken out of intensive care Monday afternoon and moved to a trauma step-down unit in preparation for discharge.

For his part, Cheney visited Whittington in the intensive care unit of the hospital on Sunday night and said through an aide afterward, "I was pleased to see that Harry's doing well. He's in good spirits." The Vice President flew down to Texas on Friday after working at the White House, his office said. He remained there Sunday but did not hunt, his office said, before flying back to Washington on Sunday night. He joined Bush on Monday afternoon during an Oval Office meeting with United Nations Secretary General Kofi Annan, but left before reporters were allowed in for questions; Bush ignored any questions shouted his way about the incident. White House aides can be expected to say that the Vice President did not shoot Whittington, which suggests a bullet, but rather sprayed him with birdshot, a type of ammunition made up of tiny pieces of lead or steel.

It was Whittington who Bush turned to, as Texas governor in 1999, to take over the Texas Funeral Service Commission after the regulatory agency's executive director alleged that she had

been fired for investigating a company headed by a financial supporter of the governor.

Whittington assured the Dallas Morning News at the time that he would keep politics out of the board's work. "There is no Republican or Democratic way to bury anybody," he said. Presiding over his first meeting, Whittington said, "If any agency needs divine guidance, it's this one." The state settled a lawsuit by the former executive director in 2001, and Whittington's term as head ends next year.

Whittington, who donated \$1,000 to Bush's first presidential campaign and \$2,000 to his reelection, is married to Merce Whittington, who also has been active in Republican politics; they have several children, including two daughters who still live in Austin. In a profile of Whittington last year, the Austin American-Statesman described him as being old-fashioned enough that he did not have a computer or bill by the hour. Luckily for Dick Cheney, that seems to extend to his being able to laugh off being accidentally shot at by the Vice President. For a lawyer, even a Republican, that's no easy feat.

With reporting by Hilary Hylton/Austin

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HARRY WHITTINGTON'S BLOG				

FRIDAY, FEBRUARY 17, 2006

I am deeply sorry

that I chickened out today. I wanted to stand up to Dick, I really did. But Dick said if I didn't apologize for all the trouble I had gotten him into by being shot, he was going to take me on another hunting trip.

At least I know who my true friends are now.

Thanks Mel, Robot, Douglas, Neil, Patricia, Wonkette and everyone else who wished me well along the way.

POSTED BY HARRY WHITTINGTON AT 12:07 PM 32 COMMENTS

THURSDAY, FEBRUARY 16, 2006

Josh, I know exactly how it feels.

Man Shot In Accident After Laughing At Cheney

(AP) LAFAYETTE, Colo. Hours after laughing about Vice President Dick Cheney's hunting mishap, Josh Kayser was himself shot by a friend during a hunting expedition.

"I read that thing about the vice president and said to myself 'how can you shoot your friend with your gun?' And look what happened," he said Tuesday.

Had you also been discussing the Valerie Plame leak with your friend, Josh?

POSTED BY HARRY WHITTINGTON AT 3:22 PM 11 COMMENTS

ABOUT ME



HARRY WHITTINGTON
AUSTIN, TEXAS, U
STATES

I am an attorney.
the Chair of the S

Funeral Commission and I like
help raise money for my friend
the Republican Party. And I lo
hunt!

[VIEW MY COMPLETE PROFILE](#)

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[I am deeply sorry](#)

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[Any doctors out there?](#)

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[last couple of days](#)

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Gaylord, the feeling is mutual



"He's classy and charming and an outdoorsman -- the logical choice," said Gaylord Armstrong, an Austin lobbyist who has known Whittington for decades. "A gracious guy -- and handsome."

POSTED BY HARRY WHITTINGTON AT 7:55 AM 8 COMMENTS

Any doctors out there?

I heard there was some woman overseas who got a face transplant. Anybody know how that works? After Dick shot his wad of pellets in my face, I feel dirty.

POSTED BY HARRY WHITTINGTON AT 6:23 AM 4 COMMENTS

WEDNESDAY, FEBRUARY 15, 2006

Have you ever been in a situation

where somebody you thought was your friend did something that hurt you very much, and then they tried to blame it on you? And then that person waited 18 hours to report it to the media, and that person's colleagues tried to make a joke out of it, until you had a heart attack? Just wondering.

POSTED BY HARRY WHITTINGTON AT 4:00 PM 25 COMMENTS

One of the worst days of *your* life?

I can relate to that; Dick. But when we were hunting together, you said that the day that Libby told Fitzgerald that you had authorized him to leak classified information about Valerie Plame was one of the worst days of your life. Maybe they were both worst days.

One other thing:

When asked if their patient would be tuning in to the vice president's first on-air interview about the shooting, Banko said, "There is no television in his room at this point in time."

When I found out you were going to be on the TV, I had it removed.

And please STOP SENDING ME PRESS RELEASES IN THE THIRD PERSON.

POSTED BY HARRY WHITTINGTON AT 2:17 PM 8 COMMENTS

I've been thinking about things these last couple of days

If had to do it all over again, I don't know if I would have been such a big fundraiser for Republicans. In fact, I might have raised some money for the Democrats. Am I better off now than I was under Clinton? I'd have to say the answer is no.

POSTED BY HARRY WHITTINGTON AT 9:18 AM 10 COMMENTS

TUESDAY, FEBRUARY 14, 2006

What the hell happened?

How did I end up in this hospital? Last thing I recall, Dick and I were knocking back the Wild Turkey, hunting, and having a nice conversation. Now I am here. On the bright side, I guess my connections on the Texas State Funeral Commission might finally

>From: "michael fox" <lfox449@hotmail.com>
>To: SCHAPA@AMICA.COM
>Subject: -----DOCTORS I AM SEEING-----
>Date: Wed, 17 Jan 2007 18:36:52 -0500
>
>HELLO SHEREON CHAPA
>
>MICHAEL FOX HERE---SORRY I DO'NT HAVE THE CLAIM NUMBER..
>
>BUT ITS REGARDING THE CAR WRECK ON FEB 4 2006 THAT YOUR INSURED
DESTROYED
>MY VEHICAL---INCLUDING MY HEALTH....HER LAST NAME IS PATSON....
>
>I NEED YOU TO APPROVE A DOCTORS APPOINTMENTS...
>THEY WILL NOT SEE ME UNTIL THEY ARE CONTACTED BY YOU, FOR YOUR
>APPROVEL.....
>
>OR SEND ME AN APPROVEL OVER THE EMAIL, AND I'LL COPY IT OFF THE
>COMPUTER.....
>
>---THE DOCTOR IS ---
>---DR. URLAUB
>---6719 ALVARADO ---SUITE 303
>---SAN DIEGO CA. 92120
>---619 287-6003
>
>I AM ALSO SEEING TWO OTHER DOCTORS REGARDING THIS ACCIDENT..
>AND WILL BE UNTIL JUNE OF THIS YEAR
>
>YESTERDAY AND TODAY I WENT TO A PAIN MANAGMENT TYPE DOCTOR...REGARDING
THIS
>INJURY CLAIM..
>I WILL BE SEEING THIS DOCTOR 3 TIMES A WEEK FOR THE FIRST TWO WEEKS,
AND
>THEN WILL BE RE-EVALUATED....THIS MAN WILL BE LEANING MY INSURANCE
CLAIM
>
>IF THERE ARE ANY PROBLEMS, PLEASE CONTACT ME....
>AGAIN, I CAN ONLY BE REACHED THROUGH EMAIL.....
>
>THANK YOU
>MICHAEL FOX
>
>
>Invite your Hotmail contacts to join your friends list with Windows
Live
>Spaces
>http://clk.atdmt.com/MSN/go/msnkwsp0070000001msn/direct/01/?href=http://spaces.live.com/spacesapi.aspx?wx_action=create&wx_url=/friends.aspx&m

kt=en-us
>

FREE online classifieds from Windows Live Expo - buy and sell with
people
you know
http://clk.atdmt.com/MSN/go/msnkwex0010000001msn/direct/01/?href=http://expo.live.com?s_cid=Hotmail_tagline_12/06

This email and any files transmitted with it are confidential and
intended solely for the use of the individual or entity to whom
they are addressed. If you have received this email in error
please notify postmaster@amica.com and the sender of the message.
Thank you.

Search for grocery stores. Find gratitude. Turn a simple search into something
more. http://click4thecause.live.com/search/charity/default.aspx?source=hmemtagline_gratitude&FORM=WLMTAG

EXhibit 54A

-----Original Message-----

From: michael fox [mailto:lfox449@hotmail.com]

Sent: Thursday, January 18, 2007 12:08 PM

To: CHAPA, SHERON A.

Subject: RE: -----DOCTORS I AM SEEING-----

HELLO SHERON CHAPA

MICHAEL FOX AGAIN

SENT YOU AN EMAIL YESTERDAY, IF YOU SCROLL DOWN YOU WILL SEE IT..

JUST SENDING THIS EMAIL TO FURTHER MOVE THIS ALONG..

AS I SAID... YOU NEED TO READ THE EMAIL BELOW FOR MY REQUEST..

PLEASE DO THIS AS SOON AS YOU CAN...

THANK YOU

MICHAEL FOX

Exhibit SSA

From: "CHAPA, SHERON A." <SCHAPA@AMICA.COM>
To: "michael fox" <lfox449@hotmail.com>
Subject: RE: -----DOCTORS I AM SEEING-----
Date: Thu, 18 Jan 2007 13:16:32 -0500

Michael,

We are unable to authorize doctor's visits or direct your treatment in any form or fashion. You will need to pursue the treatment you and your

doctor's feel is necessary and when you are ready to settle the claim, we will review all of the medical records and bills to determine if your

treatment was reasonable and necessary based on the accident and the injuries claimed.

Along the lines that we are unable to authorize treatment, we are unable

to pay any treatment bills as they are incurred. No payments will be made until the time that a final release is signed by you and a lump sum

settlement payment is made.

Please send me a list with the names, addresses and phone numbers of all doctors or facilities you have been to with regards to the accident so I

can document the file. Which doctor will you be seeing until June and can you tell me how he arrived at that time frame?

Thanks,

Sheron Chapa, AIC
Senior Adjuster
Amica Mutual Insurance
2227 Plaza Drive, Suite 400
Sugar Land, TX 77479
(888) 887-9310 x65119
Fax (888) 818-2887
schapa@amica.com

Exhibit 56A

From : michael fox <lfox449@hotmail.com>
Sent : Thursday, January 18, 2007 1:27 PM
To : SCHAPA@AMICA.COM
Subject : RE: -----DOCTORS I AM SEEING-----

HELLO SHERO CHAPA

YOU WANT TO KNOW HOW I ARRIVED AT THAT TIME FRAME OF SEEING 2 DOCTORS UNTIL JUNE OF THIS YEAR...

THE REASON BEING I AM LEAVING THE SAN DIEGO AREA..

BUT---- I WILL BE GOING TO OTHER DOCTORS TO WHERE I AM HEADING, AND THEY WILL BE LEANING MY CLAIM FOR MEDICAL PAYMENT THROUGH AMICA INSURANCE....

THIS IS UTTERLY A DISPICKABLE SITUATION I AM IN...AMICA INSURANCE WILL NOT PAY ANY DOCTORS UNTIL I SETTLE WITH THE INSURANCE COMPANY....

I DID NOT CAUSE THIS ACCIDENT, AND DOCTORS HAVE TO WAIT TO GET PAID BECAUSE YOU WO'NT PAY THEM UNTIL SETTLEMENT...THE NONSENSE JUST CONTINUES...

I WILL SEE IF THIS DOCTOR WILL SEE ME WITH THE KNOWLEDGE OF THEM HAVING TO LIEN THE INSURANCE COMPANY CLAIM.....FOR MYSELF

THANK YOU
MICHAEL FOX

Exhibit 57A

TEXAS PEACE OFFICER'S CRASH REPORT CRB-3 (Rev. 01/06) Submission of Crash Records: This report may be submitted via the CRIS Web Portal, electronically submitted via XML or mailed to the TEXAS DEPARTMENT OF PUBLIC SAFETY, PO BOX 4087, AUSTIN TX 78773-0350. Please see the DPS Instructions to Police for more details regarding these submission methods or look on the CRIS Website at <http://www.tdps.state.tx.us/crisproject/index.htm>

☐ FATAL ☐ CMV INVOLVED ☐ SCHOOL BUS RELATED ☐ RAILROAD RELATED ☐ MEDICAL ADVISORY BOARD ☐ HIT AND RUN ☐ AMENDMENT/ SUPPLEMENT

PLACE WHERE CRASH OCCURRED		LOC# <u>2006-4993</u>	
COUNTY <u>Galveston</u>	CITY OR TOWN <u>Galveston</u>	ORI #	
IF CRASH WAS OUTSIDE CITY LIMITS INDICATE FROM NEAREST TOWN <u>N/A</u> MILES <u>N/A</u> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> OF <u>N/A</u>		DPS #	
ROAD ON WHICH CRASH OCCURRED <u>8100</u> BLOCK NUMBER	STREET OR ROAD NAME <u>Seawall</u>	ROUTE NUMBER OR STREET CODE <u>Boulevard</u>	CONSTRUCTION ZONE WORKERS PRESENT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO SPEED LIMIT <u>45</u>
INTERSECTING STREET OR RR X'ING NUMBER	STREET OR ROAD NAME	ROUTE NUMBER OR STREET CODE	CONSTRUCTION ZONE WORKERS PRESENT <input type="checkbox"/> YES <input type="checkbox"/> NO SPEED LIMIT
NOT AT INTERSECTION <u>250</u>	<input checked="" type="checkbox"/> FT. <input type="checkbox"/> MI. N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W OF <u>51st Street</u>	SHOW MILEPOST OR NEAREST INTERSECTING NUMBERED HIGHWAY, IF NONE, SHOW NEAREST INTERSECTING STREET OR REFERENCE POINT	MILEPOST LATITUDE LONGITUDE
DATE OF CRASH <u>February</u> <u>4th</u> <u>2006</u>	DAY OF WEEK <u>Saturday</u>	HOUR <u>Midnight</u> <u>0000</u>	<input type="checkbox"/> AM <input type="checkbox"/> PM IF EXACTLY NOON OR MIDNIGHT, SO STATE
UNIT # <u>1</u>	1-MOTOR VEHICLE 2-TRAIN 3-PEDALCYCLIST	4-PEDESTRIAN 5-MOTORIZED CONVEYANCE 6-TOWED	7-NON-CONTACT 8-OTHER
YEAR <u>2004</u> COLOR & MAKE <u>Blue/Chrysler</u>	MODEL NAME <u>GT Turbo</u>	BODY STYLE <u>4-Door</u>	LICENSE PLATE <u>06 TX K95-NJ</u>
DRIVER'S NAME <u>Patson Paula Pakenham</u>	LAST FIRST MIDDLE	ADDRESS (STREET, CITY, STATE, ZIP) <u>311 Kickerilla Dr. Houston TX 77079</u>	PHONE NUMBER <u>281 870 1964</u>
DRIVER'S LICENSE <u>TX</u> <u>09667977</u> <u>C</u> <u>None</u> <u>A</u> <u>07-23-52</u>	STATE NUMBER CLASS/TYPE ENDORSEMENTS RESTRICTIONS	LICENSE STATUS <u>1</u>	1-VALID 2-NOT VALID 3-SUSPENDED/REVOKED 4-CANCELLED/DENIED 5-EXPIRED 6-UNKNOWN
DRIVER'S ETHNICITY <u>1</u>	1-WHITE 2-HISPANIC 3-BLACK 4-ASIAN 5-OTHER	DRIVER'S SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	DRIVER'S OCCUPATION <u>Channel Territory Manager</u> POLICE, FIREFIGHTER, EMS, ON EMERGENCY <input type="checkbox"/> IF CHECKED, PLEASE EXPLAIN IN NARRATIVE
TYPE OF ALCOHOL SPECIMEN TAKEN <u>4</u> TEST RESULTS		TYPE OF DRUG SPECIMEN TAKEN <u>3</u> TEST RESULTS <u>N/A</u> DRUG CATEGORY 1: 2:	
LESSEE <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> <u>Same</u>			
LIABILITY INSURANCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> EXP <u>American Mutual Ins Co</u> <u>960842-24HK</u> VEHICLE DAMAGE RATING <u>FD-5</u>			
POLICY NUMBER			
UNIT # <u>2</u>	1-MOTOR VEHICLE 2-TRAIN 3-PEDALCYCLIST	4-PEDESTRIAN 5-MOTORIZED CONVEYANCE 6-TOWED	7-NON-CONTACT 8-OTHER
YEAR <u>2001</u> COLOR & MAKE <u>Purple/Ford</u>	MODEL NAME <u>Explorer</u>	BODY STYLE <u>SUV</u>	LICENSE PLATE <u>06 TX N7716W</u>
DRIVER'S NAME <u>Legally Parked</u>	LAST FIRST MIDDLE	ADDRESS (STREET, CITY, STATE, ZIP)	PHONE NUMBER
DRIVER'S LICENSE <u>N/A</u>	STATE NUMBER CLASS/TYPE ENDORSEMENTS RESTRICTIONS	LICENSE STATUS <u>6</u>	1-VALID 2-NOT VALID 3-SUSPENDED/REVOKED 4-CANCELLED/DENIED 5-EXPIRED 6-UNKNOWN
DRIVER'S ETHNICITY <u>5</u>	1-WHITE 2-HISPANIC 3-BLACK 4-ASIAN 5-OTHER	DRIVER'S SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	DRIVER'S OCCUPATION <u>N/A</u> POLICE, FIREFIGHTER, EMS, ON EMERGENCY <input type="checkbox"/> IF CHECKED, PLEASE EXPLAIN IN NARRATIVE
TYPE OF ALCOHOL SPECIMEN TAKEN <u>4</u> TEST RESULTS		TYPE OF DRUG SPECIMEN TAKEN <u>3</u> TEST RESULTS <u>N/A</u> DRUG CATEGORY 1: 2:	
LESSEE <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> <u>Ramirez, Elmelio</u> <u>2316 29th Ave N Texas City TX 77570</u>			
LIABILITY INSURANCE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> EXP <u>Unknown</u> VEHICLE DAMAGE RATING <u>RD-5/FD-5</u>			
POLICY NUMBER			
DAMAGE TO PROPERTY OTHER THAN VEHICLES <u>None</u>			
IN YOUR OPINION, DID THIS CRASH RESULT IN AT LEAST \$1,000.00 DAMAGE TO ANY ONE PERSON'S PROPERTY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
CHARGES FILED			
NAME <u>Patson, Paula Pakenham</u>		CHARGE <u>Failed to Maintain Single Minded Control</u>	CITATION <u>M 089450 A</u>
NAME <u>Patson, Paula Pakenham</u>		CHARGE <u>Failed to Control Speed</u>	CITATION <u>M 089450 B</u>
TIME NOTIFIED OF CRASH <u>2-4-06</u> <u>0010</u> <u>HOW Dispatched</u>	TIME ARRIVED AT SCENE <u>2-4-06</u> <u>0011</u>	DATE OF REPORT <u>02-04-06</u>	
TYPED OR PRINTED NAME OF INVESTIGATOR <u>S. Brewer</u>		ID# <u>378</u> AGENCY <u>Galveston P.D.</u> DIST/AREA <u>C</u>	REPORT COMPLETE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Exhibit 58A

SEAT POSITION 1-FRONT LEFT 2-FRONT CENTER 3-FRONT RIGHT 4-SECOND SEAT LEFT 5-SECOND SEAT CENTER 6-SECOND SEAT RIGHT 7-THIRD SEAT LEFT 8-THIRD SEAT CENTER 9-THIRD SEAT RIGHT 10-CARDO AREA 11-OUTSIDE VEHICLE 12-UNKNOWN		SOLICITATION INDICATES A PERSON'S DESIRE TO RECEIVE CONTACT FROM PERSONS SEEKING PROFESSIONAL EMPLOYMENT AS FOR ATTORNEY, CHIROPRACTOR, PHYSICIAN, SURGEON, PRIVATE INVESTIGATOR, OR ANY OTHER PERSON REGISTERED OR LICENSED BY A HEALTH CARE REGULATORY AGENCY (Y=SOLE, N=NO SOLICIT).		EJECTED 1-NO 2-YES 3-YES, PARTIAL 4-NOT APPLICABLE 5-UNKNOWN		RESTRAINT USED 1-SHOULDER & LAP BELT 2-SHOULDER BELT ONLY 3-LAP BELT ONLY 4-CHILD SEAT, FACING FORWARD 5-CHILD SEAT, FACING REAR 6-CHILD SEAT, UNKNOWN		7-BOOSTER SEAT 8-NONE 9-OTHER 10-UNKNOWN		AIRBAG 1-NOT APPLICABLE 2-NOT DEPLOYED 3-DEPLOYED, FRONT 4-DEPLOYED, SIDE 5-DEPLOYED, OTHER 6-UNKNOWN		HELMET USE 1-WORN, DAMAGED 2-WORN, NOT DAMAGED 3-WORN, UNL. DAMAGE 4-NOT WORN 5-UNKNOWN IF WORN		INJURY SEVERITY 6-KILLED 7-INCAPACITATING INJURY 8-NON INCAPACITATING INJURY 9-POSSIBLE INJURY 10-NOT INJURED 11-UNKNOWN	
---	--	---	--	--	--	---	--	--	--	--	--	---	--	---	--

UNIT 1	TOWED DUE TO DISABLING DAMAGE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	VEHICLE REMOVED TO	5907 Ave J	BY	Tony Bros Permit Y
--------	-------------------------------	--	--------------------	------------	----	--------------------

ITEM	SEAT POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS NAMES, POSITIONS, RESTRAINTS USED, ETC. HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED (LAST, FIRST, MI)	ADDRESS	SEX	EJECTED	RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
1	1	Potson, Paula Patenham	311 Kiderville Dr. Houston, TX 77001	N	1	2	3	4	53	F	N

UNIT 2	TOWED DUE TO DISABLING DAMAGE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	VEHICLE REMOVED TO	5100 Post Office	BY	AAAA Permit 45
--------	-------------------------------	--	--------------------	------------------	----	----------------

ITEM	SEAT POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS NAMES, POSITIONS, RESTRAINTS USED, ETC. HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED (LAST, FIRST, MI)	ADDRESS	SEX	EJECTED	RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
11		Legally Parked									

PED. PEDAL, ETC.	COMPLETE IF CASUALTIES NOT IN MOTOR VEHICLE	CASUALTY NAME (LAST, FIRST, MI)	ADDRESS	SEX	ALCOHOL SPECIMEN TAKEN	RESULT	DRUG SPECIMEN TAKEN	RESULT	HELMET	AGE	SEX	INJURY CODE
------------------	---	---------------------------------	---------	-----	------------------------	--------	---------------------	--------	--------	-----	-----	-------------

DISPOSITION OF KILLED OR INJURED				IF AMBULANCE USED, SHOW			
ITEM	TAKEN TO	BY	TIME NOTIFIED	TIME ARRIVED AT SCENE	AMBULANCE UNIT	# OF ATTENDANTS INCLUDING DRIVER	# OF PERSONS TRANSPORTED FOR TREATMENT

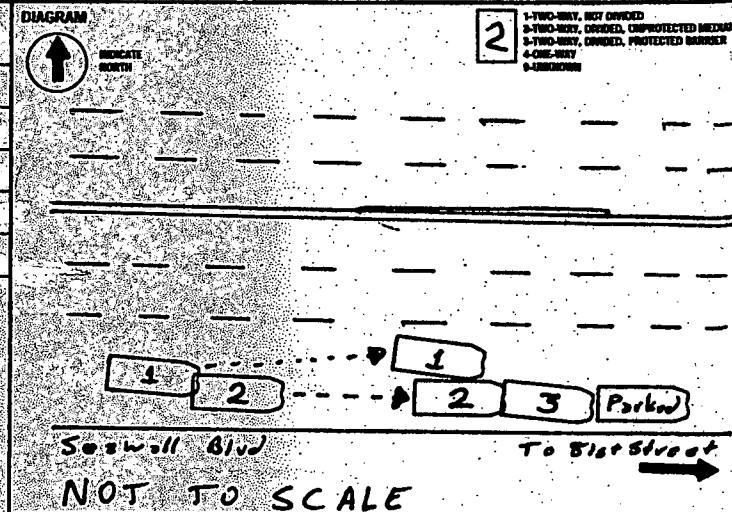
COMPLETE THIS SECTION IF PERSON KILLED (If a person dies within 30 days of the crash, please complete this area and mail the supplement to the Crash Records Bureau)											
ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH

Investigator's narrative opinion of what happened (ATTACH ADDITIONAL SHEETS IF NECESSARY)

Unit 1 was traveling Eastbound on Seawall Blvd.
 Units 2 and 3 were parked facing East.
 Unit 1 drifted to the right striking Unit 2.
 Unit 2 hit Unit 3. Driver of Unit 1 stated that she took .25 mg of Xanax 45 minutes prior to driving with little rest and no food.

FACTORS AND CONDITIONS LISTED ARE THE INVESTIGATOR'S OPINION									
UNIT #	FACTORS/CONDITIONS CONTRIBUTING	OTHER FACTORS/CONDITIONS MAY OR MAY NOT HAVE CONTRIBUTED	VEHICLE DEFECTS CONTRIBUTING	VEHICLE DEFECTS MAY HAVE CONTRIBUTED					
1	40 62 20 22 23								

- 1-SIGNAL OR ROAD-DRIVER**
 2-SIGNAL OR ROAD-DRIVER
 3-SIGNAL OR ROAD-DRIVER
 4-CHANGED LANE WHEN UNSAFE
 5-11 SEE VEHICLE DEFECTS
 6-REARVIEW MIRROR LANE
 7-DECEASED STOP AND GO SIGNAL
 8-DECEASED STOP SIGN OR LIGHT
 9-DECEASED WARNING SIGN AT INTERSECTION
 10-DECEASED WARNING SIGN AT CONSTRUCTION
 11-DESTRUCTION IN VEHICLE
 12-DRIVER DISTRACTION
 13-DRIVE WITHOUT HEADLIGHTS
 14-FAILED TO CONTROL SPEED
 15-FAILED TO DRIVE IN SINGLE LANE
 16-FAILED TO GIVE HALF OF ROADWAY
 17-FAILED TO GIVE WARNING SIGN
 18-FAILED TO PASS TO LEFT SAFELY
 19-FAILED TO PASS TO RIGHT SAFELY
 20-FAILED TO GIVE SIGNAL OR WARNING SIGNAL
 21-FAILED TO STOP AT PROPER PLACE
 22-FAILED TO STOP FOR SCHOOL BUS
 23-FAILED TO STOP FOR TRAIN
 24-FAILED TO YIELD ROW-EMERGENCY VEHICLE
 25-FAILED TO YIELD ROW-OPEN INTERSECTION
 26-FAILED TO YIELD ROW-PRIVATE DRIVE
 27-FAILED TO YIELD ROW-STOP SIGN
 28-FAILED TO YIELD ROW-TO PEDESTRIAN
 29-FAILED TO YIELD ROW-TURNING LEFT
 30-FAILED TO YIELD ROW-TURN ON RED
 31-FAILED TO YIELD ROW-YIELD SIGN
- 40-FATIGUED OR ASLEEP**
 41-FAULTY CIRCULAR ACTION
 42-FIRE IN VEHICLE
 43-FLEEING OR EVADING POLICE
 44-FOLLOWED TOO CLOSELY
 45-HAD BEEN DRIVING
 46-IMPAIRED DRIVER (EXP. IN NARRATIVE)
 47-ALL (EXP. IN NARRATIVE)
 48-IMPAIRED VISION (EXP. IN NARRATIVE)
 49-IMPROPER START FROM PARKED POSITION
 50-LOAD NOT SECURED
 51-OPENED DOOR TO TRAFFIC LANE
 52-OVERSIZE VEHICLE OR LOAD
 53-OVERTAKE AND PASS INSUFFICIENT CLEARANCE
 54-PARKED AND FAILED TO SET BRAKES
 55-PARKED IN TRAFFIC LANE
 56-PARKED WITHOUT LIGHTS
 57-PASSED IN NO PASSING ZONE
 58-PASSED ON RIGHT SHOULDER
 59-PEDIMEDALCYCLOMOT.COM.FLY ROW TO VEHICLE
 60-SPEEDING UNSAFE (UNDER LIMIT)
 61-SPEEDING OVER LIMIT
 62-TAKING MEDICATION (EXP. IN NARRATIVE)
 63-TURNED IMPROPERLY - CUT CORNER ON LEFT
 64-TURNED IMPROPERLY - WIDE RIGHT
 65-TURNED IMPROPERLY - WRONG LANE
 66-TURNED WHEN UNSAFE
 67-UNDER INFLUENCE - ALCOHOL
 68-UNDER INFLUENCE - DRUG
 69-WRONG SIDE - APPROACH OR IN INTERSECTION
 70-WRONG SIDE - NOT PASSING
- 71-DRIVING VERY-ONE WAY ROAD**
 72-CELLPHONE PHONE USE
 73-ROAD RAGE
 74-OTHER FACTOR (WRITE ON LINE)



TRAFFIC CONTROL 1-NONE 2-INTERMITTENT 3-FLASHERS 4-FLASHERS 5-FLASHERS 6-FLASHERS 7-FLASHERS 8-FLASHERS 9-FLASHERS 10-FLASHERS 11-FLASHERS 12-FLASHERS 13-FLASHERS 14-FLASHERS 15-FLASHERS 16-FLASHERS 17-FLASHERS 18-FLASHERS 19-FLASHERS 20-FLASHERS 21-FLASHERS 22-FLASHERS 23-FLASHERS 24-FLASHERS 25-FLASHERS 26-FLASHERS 27-FLASHERS 28-FLASHERS 29-FLASHERS 30-FLASHERS 31-FLASHERS 32-FLASHERS 33-FLASHERS 34-FLASHERS 35-FLASHERS 36-FLASHERS 37-FLASHERS 38-FLASHERS 39-FLASHERS 40-FLASHERS 41-FLASHERS 42-FLASHERS 43-FLASHERS 44-FLASHERS 45-FLASHERS 46-FLASHERS 47-FLASHERS 48-FLASHERS 49-FLASHERS 50-FLASHERS 51-FLASHERS 52-FLASHERS 53-FLASHERS 54-FLASHERS 55-FLASHERS 56-FLASHERS 57-FLASHERS 58-FLASHERS 59-FLASHERS 60-FLASHERS 61-FLASHERS 62-FLASHERS 63-FLASHERS 64-FLASHERS 65-FLASHERS 66-FLASHERS 67-FLASHERS 68-FLASHERS 69-FLASHERS 70-FLASHERS 71-FLASHERS 72-FLASHERS 73-FLASHERS 74-FLASHERS 75-FLASHERS 76-FLASHERS 77-FLASHERS 78-FLASHERS 79-FLASHERS 80-FLASHERS 81-FLASHERS 82-FLASHERS 83-FLASHERS 84-FLASHERS 85-FLASHERS 86-FLASHERS 87-FLASHERS 88-FLASHERS 89-FLASHERS 90-FLASHERS 91-FLASHERS 92-FLASHERS 93-FLASHERS 94-FLASHERS 95-FLASHERS 96-FLASHERS 97-FLASHERS 98-FLASHERS 99-FLASHERS 100-FLASHERS		ROADWAY RELATION 1-ON ROADWAY 2-OFF ROADWAY 3-UNKNOWN 4-UNKNOWN			
PART OF THE ROADWAY 1-MAIN LANE 2-SERVICE ROAD 3-EXTENSION RAMP 4-EXIT RAMP 5-CONNECTOR 6-DETOUR 7-OTHER		ROADWAY ALIGNMENT 1-STRAIGHT LEVEL 2-STRAIGHT, GRADE 3-STRAIGHT, HILLCREST 4-CURVE, LEVEL 5-CURVE, GRADE 6-CURVE, HILLCREST			
TYPE OF ROAD SURFACE 1-CONCRETE 2-BLACKTOP 3-GRANITE 4-GRANITE 5-GRANITE 6-GRANITE 7-GRANITE 8-GRANITE 9-GRANITE 10-GRANITE 11-GRANITE 12-GRANITE 13-GRANITE 14-GRANITE 15-GRANITE 16-GRANITE 17-GRANITE 18-GRANITE 19-GRANITE 20-GRANITE 21-GRANITE 22-GRANITE 23-GRANITE 24-GRANITE 25-GRANITE 26-GRANITE 27-GRANITE 28-GRANITE 29-GRANITE 30-GRANITE 31-GRANITE 32-GRANITE 33-GRANITE 34-GRANITE 35-GRANITE 36-GRANITE 37-GRANITE 38-GRANITE 39-GRANITE 40-GRANITE 41-GRANITE 42-GRANITE 43-GRANITE 44-GRANITE 45-GRANITE 46-GRANITE 47-GRANITE 48-GRANITE 49-GRANITE 50-GRANITE 51-GRANITE 52-GRANITE 53-GRANITE 54-GRANITE 55-GRANITE 56-GRANITE 57-GRANITE 58-GRANITE 59-GRANITE 60-GRANITE 61-GRANITE 62-GRANITE 63-GRANITE 64-GRANITE 65-GRANITE 66-GRANITE 67-GRANITE 68-GRANITE 69-GRANITE 70-GRANITE 71-GRANITE 72-GRANITE 73-GRANITE 74-GRANITE 75-GRANITE 76-GRANITE 77-GRANITE 78-GRANITE 79-GRANITE 80-GRANITE 81-GRANITE 82-GRANITE 83-GRANITE 84-GRANITE 85-GRANITE 86-GRANITE 87-GRANITE 88-GRANITE 89-GRANITE 90-GRANITE 91-GRANITE 92-GRANITE 93-GRANITE 94-GRANITE 95-GRANITE 96-GRANITE 97-GRANITE 98-GRANITE 99-GRANITE 100-GRANITE		WEATHER 1-CLEAR/LOUDY 2-RAIN 3-SLEET/RAIN 4-DRIZZLE 5-DRIZZLE 6-DRIZZLE 7-DRIZZLE 8-DRIZZLE 9-DRIZZLE 10-DRIZZLE 11-DRIZZLE 12-DRIZZLE 13-DRIZZLE 14-DRIZZLE 15-DRIZZLE 16-DRIZZLE 17-DRIZZLE 18-DRIZZLE 19-DRIZZLE 20-DRIZZLE 21-DRIZZLE 22-DRIZZLE 23-DRIZZLE 24-DRIZZLE 25-DRIZZLE 26-DRIZZLE 27-DRIZZLE 28-DRIZZLE 29-DRIZZLE 30-DRIZZLE 31-DRIZZLE 32-DRIZZLE 33-DRIZZLE 34-DRIZZLE 35-DRIZZLE 36-DRIZZLE 37-DRIZZLE 38-DRIZZLE 39-DRIZZLE 40-DRIZZLE 41-DRIZZLE 42-DRIZZLE 43-DRIZZLE 44-DRIZZLE 45-DRIZZLE 46-DRIZZLE 47-DRIZZLE 48-DRIZZLE 49-DRIZZLE 50-DRIZZLE 51-DRIZZLE 52-DRIZZLE 53-DRIZZLE 54-DRIZZLE 55-DRIZZLE 56-DRIZZLE 57-DRIZZLE 58-DRIZZLE 59-DRIZZLE 60-DRIZZLE 61-DRIZZLE 62-DRIZZLE 63-DRIZZLE 64-DRIZZLE 65-DRIZZLE 66-DRIZZLE 67-DRIZZLE 68-DRIZZLE 69-DRIZZLE 70-DRIZZLE 71-DRIZZLE 72-DRIZZLE 73-DRIZZLE 74-DRIZZLE 75-DRIZZLE 76-DRIZZLE 77-DRIZZLE 78-DRIZZLE 79-DRIZZLE 80-DRIZZLE 81-DRIZZLE 82-DRIZZLE 83-DRIZZLE 84-DRIZZLE 85-DRIZZLE 86-DRIZZLE 87-DRIZZLE 88-DRIZZLE 89-DRIZZLE 90-DRIZZLE 91-DRIZZLE 92-DRIZZLE 93-DRIZZLE 94-DRIZZLE 95-DRIZZLE 96-DRIZZLE 97-DRIZZLE 98-DRIZZLE 99-DRIZZLE 100-DRIZZLE		SURFACE CONDITION 1-DRY 2-WET 3-ICE 4-ICE 5-ICE 6-ICE 7-ICE 8-ICE 9-ICE 10-ICE 11-ICE 12-ICE 13-ICE 14-ICE 15-ICE 16-ICE 17-ICE 18-ICE 19-ICE 20-ICE 21-ICE 22-ICE 23-ICE 24-ICE 25-ICE 26-ICE 27-ICE 28-ICE 29-ICE 30-ICE 31-ICE 32-ICE 33-ICE 34-ICE 35-ICE 36-ICE 37-ICE 38-ICE 39-ICE 40-ICE 41-ICE 42-ICE 43-ICE 44-ICE 45-ICE 46-ICE 47-ICE 48-ICE 49-ICE 50-ICE 51-ICE 52-ICE 53-ICE 54-ICE 55-ICE 56-ICE 57-ICE 58-ICE 59-ICE 60-ICE 61-ICE 62-ICE 63-ICE 64-ICE 65-ICE 66-ICE 67-ICE 68-ICE 69-ICE 70-ICE 71-ICE 72-ICE 73-ICE 74-ICE 75-ICE 76-ICE 77-ICE 78-ICE 79-ICE 80-ICE 81-ICE 82-ICE 83-ICE 84-ICE 85-ICE 86-ICE 87-ICE 88-ICE 89-ICE 90-ICE 91-ICE 92-ICE 93-ICE 94-ICE 95-ICE 96-ICE 97-ICE 98-ICE 99-ICE 100-ICE	

Exhibit 58B

TEXAS PEACE OFFICER'S CRASH REPORT CRB-3 (Rev. 01/06) Submission of Crash Records: This report may be submitted via the CRIS Web Portal, electronically submitted via XML or mailed to the TEXAS DEPARTMENT OF PUBLIC SAFETY, PO BOX 4087, AUSTIN TX 78773-0350. Please see the DPS Instructions to Police for more details regarding these submission methods or look on the CRIS Website at <http://www.tdps.state.tx.us/crisproject/index.htm>

<input type="checkbox"/> FATAL		<input type="checkbox"/> CMV INVOLVED	<input type="checkbox"/> SCHOOL BUS RELATED	<input type="checkbox"/> RAILROAD RELATED	<input type="checkbox"/> MEDICAL ADVISORY BOARD	<input type="checkbox"/> HIT AND RUN	<input type="checkbox"/> AMENDMENT/ADDITION
PLACE WHERE CRASH OCCURRED						LOC# 2006-4993	
COUNTY Galveston						CITY OR TOWN Galveston	
IF CRASH WAS OUTSIDE CITY LIMITS INDICATE FROM NEAREST TOWN						MILES N S E W OF	
ROAD ON WHICH CRASH OCCURRED 8100						CONSTRUCTION ZONE WORKERS PRESENT	
BLOCK NUMBER						YES NO	
STREET OR ROAD NAME Seawall						YES NO	
ROUTE NUMBER OR STREET CODE Boulevard						SPEED LIMIT 45	
INTERSECTING STREET OR RR X'ING NUMBER						CONSTRUCTION ZONE WORKERS PRESENT	
BLOCK NUMBER						YES NO	
STREET OR ROAD NAME						YES NO	
ROUTE NUMBER OR STREET CODE						SPEED LIMIT	
NOT AT INTERSECTION 250						MILEPOST	
FT MI N S E W						LATITUDE	
SHOW MILEPOST OR NEAREST INTERSECTING RUMBERED HIGHWAY, IF NONE, SHOW NEAREST INTERSECTING STREET OR REFERENCE POINT						LONGITUDE	
DATE OF CRASH February 4th 2006						DAY OF WEEK Saturday	
HOUR 0000						AM PM	
IF EXACTLY NOON OR MIDNIGHT, SO STATE							
UNIT # 3						1-MOTOR VEHICLE	
1						2-TRAIN	
3-PEDALCYCLIST						4-PEDESTRIAN	
5-MOTORIZED CONVEYANCE						7-NON-CONTACT	
8-OTHER						8-OTHER	
VIN# 1P46H44R 65X610288						ALTERED VEHICLE HEIGHT	
YEAR 1995						COLOR & MAKE Brown Plymouth	
MODEL Voyager						BODY STYLE Mini Van	
LICENSE PLATE 06 MI 1HP37						YEAR STATE NUMBER	
DRIVER'S NAME Legally Parked						PHONE NUMBER None	
LAST FIRST MIDDLE ADDRESS (STREET, CITY, STATE, ZIP)						LICENSE STATUS	
DRIVER'S LICENSE N/A						1-VALID	
STATE NUMBER CLASS/TYPE ENDORSEMENTS RESTRICTIONS DATE OF BIRTH						2-NOT VALID	
DRIVER'S ETHNICITY 1						3-SUSPENDED/REVOKED	
1-WHITE 4-ASIAN DRIVER'S SEX MALE						4-CANCELLED/DENIED	
2-HISPANIC 5-OTHER DRIVER'S OCCUPATION Unemployed						5-EXPIRED	
3-BLACK						6-UNKNOWN	
TYPE OF ALCOHOL SPECIMEN TAKEN						TYPE OF DRUG SPECIMEN TAKEN	
1-BREATH 2-BLOOD 3-URINE 4-NONE 5-REFUSED						1-BLOOD 2-URINE 3-NONE 4-REFUSED	
TEST RESULTS						TEST RESULTS	
LESSEE OWNER						DRUG CATEGORY	
Fox, Michael Thomas						RD-5	
NAME (ALWAYS SHOW LESSEE IF LEASED, OTHERWISE SHOW OWNER)						ADDRESS (STREET, CITY, STATE, ZIP)	
LIABILITY INSURANCE YES NO EXP						VEHICLE DAMAGE RATING	
The INS CO OF PENNSYLVANIA						RD-5	
POLICY NUMBER							
UNIT #						1-MOTOR VEHICLE	
1						2-TRAIN	
3-PEDALCYCLIST						4-PEDESTRIAN	
5-MOTORIZED CONVEYANCE						7-NON-CONTACT	
8-OTHER						8-OTHER	
VIN#						ALTERED VEHICLE HEIGHT	
YEAR MODEL						COLOR & MAKE	
MODEL NAME						BODY STYLE	
LICENSE PLATE						YEAR STATE NUMBER	
PHONE NUMBER							
DRIVER'S NAME						LICENSE STATUS	
LAST FIRST MIDDLE ADDRESS (STREET, CITY, STATE, ZIP)						1-VALID	
DRIVER'S LICENSE						2-NOT VALID	
STATE NUMBER CLASS/TYPE ENDORSEMENTS RESTRICTIONS DATE OF BIRTH						3-SUSPENDED/REVOKED	
DRIVER'S ETHNICITY						4-CANCELLED/DENIED	
1-WHITE 4-ASIAN DRIVER'S SEX						5-EXPIRED	
2-HISPANIC 5-OTHER DRIVER'S OCCUPATION						6-UNKNOWN	
3-BLACK							
TYPE OF ALCOHOL SPECIMEN TAKEN						TYPE OF DRUG SPECIMEN TAKEN	
1-BREATH 2-BLOOD 3-URINE 4-NONE 5-REFUSED						1-BLOOD 2-URINE 3-NONE 4-REFUSED	
TEST RESULTS						TEST RESULTS	
LESSEE OWNER						DRUG CATEGORY	
NAME (ALWAYS SHOW LESSEE IF LEASED, OTHERWISE SHOW OWNER)						ADDRESS (STREET, CITY, STATE, ZIP)	
LIABILITY INSURANCE YES NO EXP						VEHICLE DAMAGE RATING	
INSURANCE COMPANY NAME							
POLICY NUMBER							
DAMAGE TO PROPERTY OTHER THAN VEHICLES							
OBJECT NAME AND ADDRESS OF OWNER FEET FROM CURB DAMAGE ESTIMATE							
IN YOUR OPINION, DID THIS CRASH RESULT IN AT LEAST \$1,000.00 DAMAGE TO ANY ONE PERSON'S PROPERTY?							
YES NO							
CHARGES FILED							
NAME CHARGE CITATION#							
NAME CHARGE CITATION#							
TIME NOTIFIED OF CRASH 02-04-06 0010 HOW Dispatched							
TIME ARRIVED AT SCENE 02-04-06 0011							
DATE OF REPORT 02-04-06							
TYPED OR PRINTED NAME OF INVESTIGATOR S. Brewer							
ID# 398 AGENCY Galveston P.D. DIST/AREA C							
REPORT COMPLETE YES NO							

Exhibit 58C
Exhibit 58D

SEAT POSITION 1-FRONT LEFT 2-FRONT CENTER 3-FRONT RIGHT 4-SECOND SEAT LEFT 5-SECOND SEAT CENTER 6-SECOND SEAT RIGHT 7-THIRD SEAT LEFT 8-THIRD SEAT CENTER 9-THIRD SEAT RIGHT 10-CARGO AREA 11-OUTSIDE VEHICLE 12-UNKNOWN		SOLICITATION INDICATES A PERSON'S DESIRE TO RECEIVE CONTACT FROM PERSONS SEEKING PROFESSIONAL EMPLOYMENT AS FOR ATTORNEY, CHIROPODONT, PHYSICIAN, SURGEON, PRIVATE INVESTIGATOR, OR ANY OTHER PERSON REGISTERED OR LICENSED BY A HEALTH CARE REGULATORY AGENCY (1-SOLICIT, 2-NO SOLICIT).		EJECTED 1-NO 2-YES 3-YES, PARTIAL 4-NOT APPLICABLE 5-UNKNOWN		RESTRAINT USED 1-SHOULDER & LAP BELT 2-SHOULDER BELT ONLY 3-LAP BELT ONLY 4-CHILD SEAT, FACING FORWARD 5-CHILD SEAT, FACING REAR 6-CHILD SEAT, LHM		AIRBAG 1-NOT APPLICABLE 2-NOT DEPLOYED 3-DEPLOYED, FRONT 4-DEPLOYED, SIDE 5-DEPLOYED, OTHER 6-UNKNOWN		HELMET USE 1-WORN, DAMAGED 2-WORN, NOT DAMAGED 3-WORN, LHM, DAMAGE 4-NOT WORN 5-UNKNOWN IF WORN		INJURY SEVERITY 1-KILLED 2-INCAPACITATING INJURY 3-SEVERE INJURY 4-POSSIBLE INJURY 5-NOT INJURED 6-UNKNOWN	
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UNIT 3	TOWED DUE TO DISABLING DAMAGE	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	VEHICLE REMOVED TO 2317 67th	BY West End Permit 6
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ITEM	SEAT POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS NAMES, POSITIONS, RESTRAINTS USED, ETC. HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED NAME (LAST, FIRST, MI)	ADDRESS	SOL	EJECTED	RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
1	10	Fox, Michael Thomas	P.O. Box 111 621 Naples, FL 34108	N	1	8	1	7	48	M	N

UNIT 3	TOWED DUE TO DISABLING DAMAGE	<input type="checkbox"/> YES	<input type="checkbox"/> NO	VEHICLE REMOVED TO	BY
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ITEM	SEAT POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS NAMES, POSITIONS, RESTRAINTS USED, ETC. HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED NAME (LAST, FIRST, MI)	ADDRESS	SOL	EJECTED	RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

ITEM	SEAT POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS NAMES, POSITIONS, RESTRAINTS USED, ETC. HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED NAME (LAST, FIRST, MI)	ADDRESS	SOL	EJECTED	RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

ITEM	TAKEN TO	BY	TIME NOTIFIED	TIME ARRIVED AT SCENE	AMBULANCE UNIT	# OF ATTEMPTS INCLUDING OTHER	# OF PERSONS TRANSPORTED FOR TREATMENT
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH	ITEM #	DATE OF DEATH	TIME OF DEATH
1			2			3			4		
5			6			7			8		
9			10			11			12		

INVESTIGATOR'S NARRATIVE OPINION OF WHAT HAPPENED (ATTACH ADDITIONAL SHEETS IF NECESSARY) Passenger in Unit 3 was asleep in the back of Minivan.		DIAGRAM 		1-TWO-WAY, NOT DIVIDED 2-TWO-WAY, DIVIDED, UNPROTECTED MEDIAN 3-TWO-WAY, DIVIDED, PROTECTED MEDIAN 4-ONE-WAY 5-UNKNOWN	
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FACTORS AND CONDITIONS LISTED ARE THE INVESTIGATOR'S OPINION											
UNIT	FACTORS/CONDITIONS CONTRIBUTING			OTHER FACTORS/CONDITIONS MAY OR MAY NOT HAVE CONTRIBUTED			VEHICLE DEFECTS CONTRIBUTING		VEHICLE DEFECTS MAY HAVE CONTRIBUTED		
1	1	2	3	1	2	3	1	2	1	2	
2	1	2	3	1	2	3	1	2	1	2	

1-ABNORMAL ON ROAD-DOMESTIC
2-ABNORMAL ON ROAD-WILD
3-ABNORMAL ON ROAD-OTHER
4-CHANGED LANE WHEN UNSAFE
5-11 SEE VEHICLE DEFECTS
14-DECEASED STOP AND GO SIGNAL
15-DECEASED STOP SIGN ON LIGHT
16-DECEASED TURN SIGNAL AT INTERSECTION
17-DECEASED WARNING SIGN AT CONSTRUCTION
18-OBSTRUCTION IN VEHICLE
19-OBSTRUCTION IN VEHICLE
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100-OBSTRUCTION IN VEHICLE

40-FATIGUED OR ASLEEP
41-FATIGUED OR ASLEEP
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99-FATIGUED OR ASLEEP
100-FATIGUED OR ASLEEP

71-BROOD WAY-ONE WAY ROAD
72-CELL PHONE PHONE USE
73-ROAD RAGE
74-OTHER FACTOR (WRITE ON LINE)

VEHICLE DEFECTS

1-DEFECTIVE OR NO HEADLAMPS
2-DEFECTIVE OR NO STOP LAMPS
3-DEFECTIVE OR NO TURN SIGNALS
4-DEFECTIVE OR NO TURN SIGNALS
5-DEFECTIVE OR NO TURN SIGNALS
6-DEFECTIVE OR NO TURN SIGNALS
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100-DEFECTIVE OR NO TURN SIGNALS

TRAFFIC CONTROL

1-NONE
2-OPERATIVE
3-DEFECTIVE
4-FLASHER
5-SIGNAL LIGHT
6-FLASHING RED LIGHT
7-FLASHING YELLOW LIGHT
8-STOP SIGN
9-YIELD SIGN
10-STOPPING SIGN
11-CENTER STOP SIGN
12-PASSING ZONE
13-NO PASSING ZONE
14-SCHOOL ZONE
15-CROSSWALK
16-SIDE LANE
17-OTHER

ROADWAY RELATION

1-ON ROADWAY
2-OFF ROADWAY
3-SHOULDER
4-MEDIAN

PART OF THE ROADWAY

1-MAIN LANE
2-SERVICE ROAD
3-EXTRADE RAMP
4-EXIT RAMP
5-CONNECTOR
6-DETOUR
7-OTHER

ROADWAY ALIGNMENT

1-STRAIGHT, LEVEL
2-STRAIGHT, GRADE
3-STRAIGHT, HILLCREST
4-CURVE, LEVEL
5-CURVE, GRADE
6-CURVE, HILLCREST
7-OTHER

TYPE OF ROAD SURFACE

1-CONCRETE
2-ASPHALT
3-GRASS
4-GRASS
5-GRASS
6-GRASS
7-GRASS
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99-GRASS
100-GRASS

WEATHER

1-CLEAR/LOUDY
2-RAIN
3-SLEET/RAIN
4-SNOW
5-ICE
6-ICE
7-ICE
8-ICE
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100-ICE

SURFACE CONDITION

1-DRY
2-WET
3-STANDING WATER
4-SNOW
5-ICE
6-ICE
7-SAND, MUD, DIRT
8-OTHER
9-OTHER
10-OTHER
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Exhibit 58D